

PRESS — 1993

JANUARY — MAY

Predators eye magazine

A TOTAL of six prospective buyers — including Times Media Ltd — are now circling the corpse of Tollgate Holdings hoping to snap up a key shareholding in Finance Week, the business magazine.

The 26,7% stake in Finance Week landed in the lap of provisional liquidator Chris Van Zyl when whizzkid Julian Askin's Tollgate Holdings collapsed earlier this year owing debts of more than R400-million.

A spokesman for Times Media Ltd, which publishes the Sunday Times, Financial Mail and Business Day, said: "We are in the wings watching the situation develop."

By JEREMY WOODS

Two financial institutions are also understood to have registered an interest in purchasing the stake.

But the future of Finance Week centres on a pre-emptive right to buy the shares that editor Allan Greenblo claims he has.

That pre-emptive right is apparently the key to the whole situation, and legal opinions are being sought to establish its validity.

If Mr Greenblo is correct and he has a pre-emptive right to buy the shares, then

the situation would appear to be a storm in a teacup.

But if Mr Greenblo does not have the right to buy the shares a number of scenarios seem possible.

Stuart Murray, co-founder of the magazine with Mr Greenblo, speaks for about 30% of the shares and is "obviously keen to buy" the 27% from the provisional liquidators and gain control.

He publishes other magazines, including Company Motoring, and part of his long-term plans are to build a publishing company, which would include a financial magazine.

A source close to the situation suggested that Mr Greenblo might also wish to sell his shares but would "want a lot of money for them".

Mr Greenblo could not be reached for comment.

Battle for control of Finance Week looms

By Derek Tommney

A major fight is about to develop for control of the business publication Finance Week.

The fight is not just for the magazine with its comparatively low earnings, but for the millions to be made by selling it to a major publishing group.

The fight has been triggered by the bankruptcy of Tollgate Group Holdings (TGH) whose 7 610 Finance Week shares representing 26,7 percent of the share capital are likely to come up for sale in the next few weeks.

While these shares will not give an outsider control, they would give one of the current shareholders a major stake and open the way for a takeover.

Potential buyers could be plentiful because the success of Times Media Limited's Financial Mail, SA's leading business publication, reputed to make R6 million to R10 million a year, has led major publishing houses to seek a similar publication.

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They have been looking at Finance Week — started 14 years ago by three disgruntled Financial Mail staffers, Allan Greenblo, Stuart Murray and Richard Rolfe — as a rival to the Financial Mail.

Although Finance Week has been reasonably successful, its lack of a financially well-heeled backer has tended to stunt growth and profits.

Market sources say these are probably about one-tenth to one-twelfth those of the Financial Mail.

However, it is a viable publication seen as having tremendous potential for anyone prepared to put money into it.

A number of offers are believed to have been made for the magazine, but Greenblo, the last of the founders still with it, has turned them all down, preferring to keep it small and maintain its independence.

Greenblo said last night he was unfazed by speculation that control of his publication might change, saying he had a pre-emp-

STAR 51193

tive right to the TGH shares

The shares were bought by Rand Merchant Bank on his behalf when he was engaged in a fight with Rolfe for control of Finance Week.

At the time he did not have the money to take them up, so Rand Merchant Bank held them for him. They were subsequently sold to Tollgate Group Holdings. An agreement with TGH gave him a pre-emptive right to the shares.

The agreement has been examined by his lawyers who say it is valid and enforceable.

Greenblo said he could also block change of control as he and Finance Week's chairman, Ronnie Turok, had the right to refuse to register any shares if they believed the shareholders were unsuitable.

Finally, if the worst came to the worst, he would force the new controlling shareholders to buy out the minorities and, with Financial Week's staff, start up another publication.

The other likely major bidder

for TGH's shares is Murray, one of the co-founders of Finance Week, but now a rival publisher.

Murray claims he speaks for holders of 30 percent of Finance Week shares.

Industry sources say Murray's shares are probably those that were once held by Dominique Hill, wife of businessman Oliver Hill, who now lives in England.

Chris van Zyl, provisional liquidator of TGH, said last night his lawyers were examining Greenblo's pre-emptive rights.

If they proved to be valid, Greenblo would not get the shares automatically, but would have to match the highest price offered by any other intending purchaser.

Van Zyl said he would be applying for final liquidation of TGH next week, after which the shares would be offered for sale.

Greenblo holds 14 percent of Finance Week shares. Another 10 percent is held by Finance Week staff, and the balance of 19 percent is spread among a number of shareholders.

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PUBLISHING (195) (243)

Threat to *Finance Week*

The battle for control of the business magazine *Finance Week* seems to hinge on the ability of editor Allan Greenblo to match the bids likely to be made for the shares held by the bankrupt Tollgate Holdings (TGH)

And, according to the provisional liquidator of TGH, Chris van Zyl of Progressive Administration, eight potential bidders have now indicated their interest.

Greenblo claims a pre-emptive right to buy the TGH-held shares, which amount to 26,7% of *Finance Week's* equity. However, Greenblo's right has been questioned by the liquidator and it is understood that legal opinion is divided. It is apparently felt there is insufficient information to reach a decision. **Fm 8/1/93**

"We are still investigating the validity of that claim," says Van Zyl. Even if Greenblo does have this right, it may amount in the end to a right to match the best alternative bid.

Greenblo, who refused to talk to the *FM*, professes confidence that his agreement with TGH is valid. His claim goes back to when he was fighting for control of *Finance Week* with one of his co-founders of the publication, Richard Rolfe. A parcel of 7 610 shares (26,7% of the equity) was bought on his behalf by Rand Merchant Bank. By agreement, he retained voting rights and control over the shares.

They were subsequently sold to TGH, who he says gave him a pre-emptive right to buy them. Whether or not that right stands up in **continue**

court, Greenblo may find himself bidding in an auction for the shares against a number of possible contenders. His own position as editor may also be at risk if he loses.

So far, four parties are known to have indicated interest in bidding for the shares: Times Media (TML), Stewart Murray, publisher Hugh Murray (no relation) and Greenblo. Others thought to be interested include the Argus Group (though CE Doug Band denies it) and Nasionale Pers, publisher of the Afrikaans weekly business magazine, *Finansies & Tegniek*. No comment was available from Nasionale MD Ton Vosloo, who was away. **(243)**

Stewart Murray, the third of the principal founders of *Finance Week*, is understood to hold 3,9% of the equity in the company. He is apparently acting on behalf of Rolfe, who owns 17,3% of the company, and the wife of former SA industrialist Oliver Hill (9,4%).

If Murray acquires the TGH shares, he will gain control of the company. Anybody else who acquires them will probably have to come to some arrangement with him. Certainly, a 26,7% stake in a private company which has never paid a dividend can be of little interest — except where there is a strategic consideration.

The shareholding of *Finance Week* is diverse. There are 13 different shareholders, believed to be broken down as follows.

<i>Finance Week</i> Trust	11,4%
Allan Greenblo	14,5%
Tollgate Holdings	26,7%
Rolfe/Hill/Murray	30,6%
Others	17,7%

Greenblo made an initial bid of R10,50 per share for the TGH holding. Another bid of R15 was received by the liquidator, which Greenblo immediately matched. Both bids probably undervalue the shares, which may be worth R35-R40 based on net asset value. A value of R40 would make the company worth R1,14m.

However, any bidder will have some difficulty evaluating the company's worth since *Finance Week's* financial statements are not available from the Registrar of Companies, where they are required by law to be lodged.

TGH's final liquidation is expected to be confirmed on January 13, after which its assets (including the shares in *Finance Week*) will be disposed of ■

Sixty journalists killed in conflict in 1992

Guardian/W in W/Mar

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AT LEAST 60 journalists lost their lives during 1992 while covering the world's conflicts, says a report published by the International Federation of Journalists in Brussels

Turkey and Bosnia — where at least 10 journalists were murdered during the year — were named by the federation as the most dangerous places 8/1-14/193

"The killings in Bosnia and the conflict in the former Yugoslavia have cast a long shadow over the world community of journalists," Aidan White, the federation's general secretary, said.

"Journalists are alerting the

By our Correspondent
in Brussels

conscience of the world to the horrifying truths of the conflict in Yugoslavia and they are paying for it with their lives while governments close their eyes to these horrors 8/1-14/193.

"It is time for the international community to recognise the price media workers have paid and to start to repay that debt," he said

A number of journalists have been threatened by gunmen while reporting on the famine and clan warfare in Somalia. Many of the

journalists who lost their lives in Turkey were covering the Turkish government's military actions against Kurdish rebels on the border with Iraq. Mr White said there was growing concern about the situation in the Kurdish area of Turkey

The federation is pressing European Community governments and the United Nations to declare censorship a gross violation of human rights. An international aid fund set up by journalists to assist colleagues and their families has already spent £70,000 helping former correspondents

Finance Week shares rush (243)

Business Staff

PAG-9/11/93

JOHANNESBURG. — Buyers are lining up for the 7 610 Finance Week shares held by the bankrupt Tollgate Group Holdings (TGH).

Provisional liquidator Mr Chris van Zyl said that at least 10 institutions had made inquiries about the shares

But he thought it would be a breach of confidence to name them at this stage.

The 7 610 shares comprise 26,7 percent of Finance Week's issued capital. Finance Week is a financial journal regarded as having tremendous potential for generating high profits.

Editor Mr Allan Greenblo wants to keep the publication as it is in order to maintain its independence.

But shareholders are widely spread and obtaining possession of the 26,7 percent of the company's shares held by TGH would be a major step towards a change in control.

Duel over control of Finance Week

(243)
AUG 9/1/93

■ Angry words are being exchanged in a duel for control of Finance Week as a key 26 percent of its shareholding comes on to the market.

MARC HASENFUSS, Business Staff

PENS have been drawn as former colleagues duel for control of South Africa's independent business weekly Finance Week.

Last night former Finance Week managing director and co-founder Stuart Murray, one of the bidders for the 26 percent of Finance Week Holdings (FWH) held by bankrupt Tollgate Holdings, strenuously denied allegations that he is "fronting" for overseas buyer Oliver Hill.

He was responding to an editorial in the latest Finance Week. The article, written by editor Allan Greenblo, said that Mr Murray was acting on behalf of Mr Hill.

Mr Greenblo added that Mr Hill was "an unrehabilitated insolvent and a fugitive from justice for whom a warrant of arrest has been issued in respect of an exchange control fraud involving R170 million"

According to Finance Week, the block of shares held by Tollgate could change control of FWH if the successful offerer acts in concert with a "hostile minority" which at present owns 31 percent of FWH.

Mr Murray said Mr Greenblo's claim that Mr Hill was the beneficial owner of 31 percent of the shares of Finance Week was "patently untrue"

"Mr Greenblo's accusations are totally without foundation and I have instructed my attorneys to take appropriate legal action. They in turn have informed me that they have issued the appropriate formal demands."

He said the article published by Finance Week was factually incorrect and constituted an outrageous attack on his personal integrity and standing in the journalistic, publishing and financial industries.

Mr Murray said as far as he knew Mr Hill had never owned shares in Finance Week. However, Mr Hill's wife held 2 625 shares (almost 10 percent) until early 1991 when Mr Murray negotiated to buy them from her.

At the same time he arranged to buy 4 925 shares from Richard Rolfe, the third co-founder of Finance Week.

Mr Murray claims he personally made Mr Greenblo aware of these purchases. Apparently at that time (mid-1992) Mr Greenblo said he had no problem with the matter.

"The collapse of Tollgate has obviously changed matters completely, throwing as it has a key 26 percent shareholding in Finance Week on to the market. These shares have according to the liquidator attracted a fairly large number of bidders of which I am one and Mr Greenblo another."

He said it had become obvious that the price likely to be realised for the shares would be much higher than originally envisaged.

"I have been actively engaged in negotiating finances to support a higher bid in a totally legitimate manner. In this I have the active cooperation of my publishing partner in Johannesburg."

Mr Greenblo claims he has a preemptive right to purchase the 26 percent shareholding held by Tollgate.

He has warned that if the control of the publication changed, editorial staff could resign. "Without its staff Finance Week is nothing and the shares in FWH would represent minimal value... there is nothing to prevent us from leaving and starting afresh."

In addition, Mr Greenblo claims that the board of FWH has the right to refuse registration and can deny transfer of any shares to an unapproved offerer.

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MALCOLM MITCHELL sell-off will be in the interests of any future government

conventional wisdoms about savings and growth in SA. Prof Loots finds that the decline in personal and government saving was compensated for by increased corporate saving and that since the mid-1970s corporate sav-

Finance Week out to tender

By JEREMY WOODS

THE nine parties which have expressed interest in taking up Tollgate's 26% holding in Finance Week are likely to be asked to submit public tenders for the stake in the business magazine.

Tollgate's provisional liquidator Chris van Zyl says one way of disposal he may recommend is by public tender in a sealed envelope, the tender to be good for 30 days.

Finance Week editor Allan Greenblo meanwhile says an announcement will be made in tomorrow's Press saying Rand Merchant Bank has commenced negotiations with an outside party which could lead to a fundamental restructuring of Finance Week Holdings.

The announcement says these negotiations were independently initiated by RMB without regard to the present uncertainty over future ownership of the Tollgate shares in Finance Week.

Mr van Zyl says nine parties have notified him, in writing that they are

interested in buying the stake. Interested parties include Times Media Ltd (publishers of the Sunday Times, Business Day and Financial Mail) and Nationale Pers (Finansies & Tegnek and Beeld). Written interest from Nationale Pers's Ton Vosloo only emerged on Thursday afternoon.

The Argus Group is also said to be interested, as are several smaller publishing groups.

Tollgate Holdings is understood to have paid R98 a share when it bought its Finance Week shares. Editor and executive director Allan Greenblo is understood to have originally offered R15.50, but subsequently upped his offer to R35.00.

The stake came up for grabs when whizz kid Julian Askin's Tollgate Hold-

ings collapsed under the weight of its own debt and the group went into provisional liquidation.

Other bidders include Leadership founder Hugh Murray, Finance Week co-founder Stuart Murray, who says he speaks for 30% of Finance Week's shareholders and Mr Greenblo, who has 14% of the shares.

Late on Friday, Mr Stuart Murray denied allegations published in the latest issue of Finance Week, that he is "fronting" for overseas buyer, Oliver Hill.

Mr Hill is an unrehabilitated insolvent and has a warrant out for his arrest for exchange control fraud involving R170-million.

Mr Greenblo's accusations are totally without foundation and I have instructed my attorneys to take the appropriate legal action. They have issued the appropriate demands," says Mr Murray.



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White knight dashing to aid Finance Week

By Derek Tommey

A white knight is on the way to rescue the business publication, Finance Week, from the many parties interested in buying a stake in the magazine.

Rand Merchant Bank (RMB) says it has started negotiations with an outside party which could lead to a fundamental restructuring of Finance Week Holdings' (FWH) share structure

Uncertainty

RMB adds that it has independently initiated the negotiations without regard to the present uncertainty over future ownership of shares in FWH held by Tollgate Group Holdings (TGH), now in provisional liquidation

TGH holds 7 610 shares in FWH, equal to 26,7 percent of its issued share capital, and these will have to be sold to help raise cash to pay TGH's creditors

The holder of these shares would be in a strong position to acquire control of the company.

However, the possibility implied in today's RMB announcement that a party — presumably acceptable to the current directors — might acquire a stake in FWH puts the whole matter in a different light



Oliver Hill . . . unrehabilitated insolvent

It is generally accepted that FWH is under-capitalised, and provided the majority of FWH's shareholders give their approval, it would be possible for the company to issue enough new shares to the yet unknown party in exchange for cash or assets to prevent any change of control

If this were to happen, the importance of the shares held by TGH would be sharply reduced.

Meanwhile, Stewart Murray, a co-founder of Finance Week,

has instituted legal proceedings against editor Allan Greenblo and Finance Week in the wake of allegations in the latest issue of the publication.

Stewart Murray has denied allegations that he is "fronting" for an overseas buyer, Oliver Hill.

Hill is an unrehabilitated insolvent and is being sought by the police in connection with a R170 million exchange control fraud.

Murray says that Greenblo's accusations in Finance Week are totally without foundation and has instructed his attorneys to take appropriate legal action.

Informed sources say that Murray is suing Finance Week and Greenblo for a large sum of money.

Tollgate's provisional liquidator Chris van Zyl has reported that about 10 parties and institutions are interested in buying the FWH shares held by TGH

The parties are believed to include Times Media, publisher of the highly successful Financial Mail.

Times Media, by acquiring Finance Week, would stop it from falling into the hands of competitors and prevent it from becoming a serious threat to the Financial Mail.

Nasionale Pers, publisher of Finansies en Tegniek, is also

STRAAL 11/1193.

know to be interested in acquiring the shares in FWH.

While Finansies en Tegniek is a respected publication, it is published in Afrikaans, which severely limits its growth and profits

If Nasionale Pers were to acquire Finance Week, it could greatly expand its content and appeal simply by running articles in it from Finansies en Tegniek.

Argus, which publishes daily newspapers in centres outside the Eastern Cape, is also said to be a possible bidder. Argus has no weekly financial publications

Contender

Also in the running for the Finance Week shares is Stewart Murray, one of the founders of Finance Week, who already controls 31 percent of the shares.

Another possible contender is Hugh Murray, founder of Leadership magazine.

The attraction of Finance Week is that there is a general belief in the publishing industry that South Africa cannot provide enough advertising for more than two English-language financial weeklies. But the industry believes that Finance Week, with more capital behind it, could be a lot more profitable.

Finance Week changes

BIPAM
11/11/93

MARCIA KLEIN

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NEGOTIATIONS are under way to restructure Finance Week Holdings (FWH) shares in the wake of bids — some of them hostile — to gain the 26% block held by provisionally liquidated Tollgate

Rand Merchant Bank (RMB) announced today that negotiations were taking place with an outside party "which could lead to a fundamental restructuring of the FWH share structure"

The negotiations were initiated by RMB "without regard to the present uncertainty over the future ownership" of FWH shares held by the Tollgate group.

Neither RMB nor Finance Week editor Allan Greenblo would say who the outside party was, but sources in the media industry said it was not one of the major newspaper or publishing groups.

TML, Nasionale Pers, Perskor and Argus were all said to be interested in acquiring the financial weekly. However, industry sources said it was unlikely any of them would now make a bid for Tollgate's share

Initially it was believed some of these publishers had shown interest as a precaution against a competitor taking control of the publication.



PUBLISHING

Auntie Argus wields a new broom

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The media have enjoyed a period of increased freedom under the reformist politics of President FW de Klerk. What worries many journalists and media owners, though, is whether this will turn out to be a Prague Spring, ending as suddenly as it started with a return to controls.

Rather than sit waiting to see what kind of consensus emerges in the new SA, the Argus group is the first of the big media owners to take pre-emptive action, initially by divesting itself of full control of the *Sowetan*. Cautious though the plan is, MD Doug Band says it's the first in "a series of carefully planned steps which will contribute to the broadening of the ownership base of the English-language press."

Band also announced a share option scheme for Argus employees. Those with at least two years' service will qualify to buy 50 Argus Holdings shares at R8 each. Though they will have to pay tax on the difference between this and the market price (currently R27), the offer is highly attractive. Other steps to which Argus has committed itself, without setting a timetable, include:

- Delinking from Times Media, in which Argus holds a 37% interest. The critical issue here is not that of finding a buyer with the R160m-or-so required, but of finding the right kind of buyer committed to maintaining the group's political independence.
- Support for independent media. NPU members plan to set up a trust fund to support alternative newspapers such as *Vrye Weekblad* and *Weekly Mail*.
- A greater spread of shareholders in Argus. Band considers this to have been addressed to some extent by the staff option scheme. "We recognise that media groups need a greater spread of shareholders."

The scheme will increase the number of individual shareholders markedly: there were only 312 on March 31. But it will not have much effect on Argus control and, from that point of view, looks little more than a token measure. The 275 000 shares involved will give Argus's 5 500 employees a combined holding of 0,006% of the equity;

- Broader board representation. Band says it is important that the views expressed on the board are expanded. "At present our board is very business orientated. We are trying to address that." There isn't a single black face on the board.

The new structure of the *Sowetan* might serve as a trailblazer for the co-option of such people to the board. Argus will reduce its holding to 50% and eventually to as low as 40% when the *Sowetan* obtains a stock exchange listing. Staff will hold 5% and the *Sowetan* Trust, representing the community served by the newspaper, will hold 45%. A

group of eminent people (including Archbishop Desmond Tutu and Frederik Van Zyl Slabbert) has been selected to make the trustee appointments.

For now, Argus will remain pretty much in charge. It has a four-year management



Band broadening the base of ownership

contract and a three-year printing and distribution contract. It appoints four members of the 10-member board in addition to the GM, also an Argus employee. The others on the board are three trust members, one staff representative and the editor.

The main restriction is that board members may not be serving officers of political parties.

The value of the *Sowetan*, now SA's biggest-circulating daily newspaper, has been put at R55m-R60m, which is close to five times pre-tax earnings. Profits, according to Band, were R6,4m last year, with the current year (ending March 31 1993) expected to yield R10,5m-R12m. Advertising revenue was R26m last year and is expected to reach R38m this year.

Times Media MD David Kovarsky believes the unbundling of Argus's holdings in TML could take place in 12-18 months but he does not see the Argus changes as a model for TML to emulate. "We don't envisage implementing anything like that."

Fm 11/12/92
Cherry picking time

The effects of a deteriorating economy are clearly mirrored in the latest Actionable Regional Readership Research & Trends survey conducted by the Argus Group's Newspaper Marketing Bureau. For example, "cherry picking" (consumers hunting from

Fm 11/12/92
shop to shop for the best bargains) has clearly become much more common.

The number of different stores visited every month by consumers in the Witwatersrand/Vaal area has risen steadily since the 1986 survey, from 1,41 then to 1,92 now. "When times are tough, people shop around more," says bureau chairman Noel Coburn.

Conducted primarily as an aid to selling the advantages of local newspapers, the survey provides detailed micro-marketing data on local shopping patterns, obtained through huge samples.

For the latest survey, 7 740 interviews were conducted in the Witwatersrand/Vaal area and 4 290 in Natal.

The result is that you can find out where people buy shoes and clothing in Sandton, because the sample size for that town alone is 400, or which stores in Rosebank and Killarney, Johannesburg, are preferred for durables. Information about the relative affluence of each area is also quantified.

There is data about trends relating to each retail chain and the results here are salutary. Asked, for example, "At which single store have you spent most of your money?" 30% of Witwatersrand/Vaal shoppers said Pick 'n Pay Hypermarkets and 22% said Checkers/Shoprite, both markedly up since 1989. Pick 'n Pay supermarkets were unchanged at 20% but OK Hyperamas were up from 10%



to 15%. The really bad news was for OK Bazaars, down from 7% to 4%, exactly matching the rise of Spar from 4% to 7%. However, while the survey is not racially based, it is conducted only among adults with telephones in the home and thus excludes most blacks.

For durables, the Hyperama remains the first choice, though purchases of durables have declined since 1989. Pick 'n Pay Hypermarkets have lost ground relative to the Hyperama, probably because they do not offer credit facilities, as has OK Bazaars.

Tony Koenderman

Printers outraged by SADF's proposed purchase of R5m press

THE SADF has outraged the printing industry with its intended purchase of a R5m printing press — an indulgence the military does not need and cannot afford, sources said yesterday

Printing Industries' Federation CE Christopher Sykes said the purchase of a five-colour lithosheet press was unjustified in present economic circumstances

Spending money on a press soon after announcing extensive staff cutbacks was "ridiculous" The federation had lodged an objection with the SADF

The Government Printer also lodged an objection, said Sykes, on the grounds that the SADF's requirements were already being adequately met

Sykes said security was not really an issue, as the SADF could run checks and grant clearance to a private firm

"Armscor has been using private people for years," he said

Another objection was that the SADF would be running the press for only a few hours a day Commercial presses of similar size ran up to 24 hours a day to remain economic

A Government Printer official con-

GAVIN DU VENAGE

firmed that an objection had been lodged

The SADF said in a statement it did not give printing matter "of a classified nature" to private companies or to the Government Printer

Only unclassified printing matter was given to the Government Printer, or put out to tender, and the volume of work justified the purchase The statement added the SADF had explained its position to the Government Printer, which was happy with the answer

However, the Government Printer official said that it maintained its objections to the purchase

The transaction may also be in contravention of the UN arms embargo, which calls on all states to refrain from any activity that may contribute to SA's military capability

However, the SADF said it put out tenders to suppliers who were "fully aware" of the end-user's identity, and that the equipment would be used for printing classified military material

Sykes said the press would probably come from Germany or Japan

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Card. (1990) With Gerard De-
and Andie MacDowell
Lives (1989).
mission ends

SAUJ criticises magazine bids

CT 13/11/93
JOHANNESBURG. —

The South African Union of Journalists yesterday called on South Africa's press heavyweights to stop vying for control of the financial magazine Finance Week.

"We find it strange that the likes of Times Media Ltd, the Argus Company, Nasionale Pers and Perskor should reportedly be champing at the bit to take over one of the few independent publications left in South Africa when they have all said their virtual total monopoly of the media in South Africa is both unhealthy and unwise," the SAUJ said in a statement. — Sapa (243)

Publish and be slammed

Star 13/1/93

(243)

THE British press faces the most determined effort yet to muzzle it by replacing present self-regulation with a statutory body with the right to enforce huge fines for breaking the new privacy laws.

The move — recommended in a specially commissioned government inquiry by Sir David Calcutt QC — would also outlaw trespass, electronic bugging and any deception as means of gathering news.

The intention, say its supporters, is to protect the "ordinary man and woman in the street"

But, far more likely, its opponents suggest, is that it will allow already privileged personalities, MPs and the royal family for example, to sleep more soundly in other people's beds

Predictably, plans to set up a new tribunal to replace the present Press Complaints Commission, together with the other suggestions, have outraged Fleet Street editors.

To a man (and one woman), they condemn what they universally regard as a bid to curb free speech

Lord McGregor, head of the threatened Complaints Commission, also opposes the move. He attacks Sir David's recommendations as an attempt to scare the media off stories involving corruption in high places. Imposition of the new measures would be "a disaster for democracy", he says

Basically, he regards it as a Trojan Horse which one day will lead to direct government control of the press

Even the Tory Party is split, with figures as unlikely as Cecil Parkinson — himself a former victim of expose — opposing a

The UK media faces the prospect of an even shorter leash, writes GARNER THOMSON from London.

statutory body and John Major, the Prime Minister himself, supporting Calcutt's case.

There is no doubt, however, that the issue that crystallised Establishment anger and fear was reportage of the crises that have been besetting Britain's royal family.

The implication has been that the unrelenting media attention caused the cracks in at least two royal marriages.

However, refusal to accept at face value official statements about the Duke and Duchess of York and the Prince and Princess of Wales (that both couples were taking time off for themselves and some privacy would be welcome) revealed at least two stories of undoubted significance to the British public that the duchess was in fact frolicking topless at a poolside with a man who was not her husband, and that Charles and Diana so loathed each other that they were prepared to risk constitutional stability by later separating.

Dogged interest in the "private" affairs of public people has consistently paid huge dividends by exposing fraud and hypocrisy. Of this there has never been any doubt.

But Britain's tabloid newspapers have a long way to go to convince the ordinary reader that its dealings are always fair and above board.

Cheque-book journalism has stained the reputation of British journalism, probably for all time. And giving a story "a whirl", even though there is reason to believe it is untrue (viz

Elton John's alleged sex and cocaine parties "exposed" by the Sun), is a phenomenon not unknown to even the quality press.

Likewise, bugging, trespass and deception have all come into play in the pursuit of news at various times

There are, indeed, many "ordinary" people who have been pilloried by the press and are unable to afford a lawsuit (so many, in fact, that there is a support-group for them in the UK), and it is in this direction that lawmakers might profitably turn their attention

Or, if parts of Calcutt's report are to be salvaged, perhaps emphasis should be placed on outlawing illegal and coercive means of gathering information. This is a direction favoured by even David Mellor, himself embarrassingly exposed by the tabloids as the one-time possessor of an actress-mistress who sucked his toes while he was wearing Chelsea FC strip

But to suggest that press freedom in such wide terms as Calcutt suggests is divisible and definable by this, or any, government is a dangerous precedent for Britain already groaning under the weight of its draconian libel laws and notable for its lack of a cogent defence for press freedom

This is a suggestion that will almost certainly be vigorously and consistently opposed by all members of the industry, regardless of under what political banner they normally publish. And it's not difficult to see why — Star Bureau □

Argus has no interest in FW

Finance Staff

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Rumours of an Argus interest in acquiring Finance Week were entirely unfounded, Doug Band, chairman of the Argus Newspapers, said last night.

In response to the South African Union of Journalists' (SAUJ) call for the major publishing groups to stop vying for control of Finance Week, he reaffirmed that his group was not interested in buying Finance Week, and never had been.

STAN 14/1/93

Finance Week looks to stay independent

THE possibility of independent financial journal *Finance Week* falling into hostile hands seemed more remote this week

Both Nasionale Pers and the Argus company declared their lack of interest in acquiring the publication. That leaves Times Media (TML), which publishes the rival *Financial Mail*, the main overt contender.

The Competition Board has voiced its concern about *Finance Week* falling into the hands of one of the major publishers in the highly concentrated newspaper industry and implied it might act to prevent a takeover.

The possibility of *Finance Week* being taken over was raised when a key 26,7 percent stake, or 7 610 shares, in the company was thrown on to the market after the Tollgate Holdings Group was put into liquidation last year.

Tollgate liquidator Chris van Zyl has received offers from 10 parties, but will not disclose who they are.

The Campaign for Open Media joined the fray yesterday, saying it viewed TML's desire to acquire even the 26,7 percent stake as unhealthy.

Coincidentally, Rand Merchant Bank (RMB) has released a statement which says a

W/Mail 1511-21/1/93

The Competition Board has voiced concern over the fate of Finance

Week, reports **REG RUMNEY**

deal is being negotiated which may mean that a restructuring of *Finance Week* shares is in the offing.

RMB managing director Laurie Dippenaar denies RMB is acting as a "white knight", and stresses the deal being brokered by RMB purely as a merchant bank is quite separate from the 26,7 percent stake. It involves bringing *Finance Week* and another unnamed party together, and could mean the issue of new shares.

Ironically, that 26,7 percent stake was bought by RMB acting in a previous control battle in 1986-87 for interests allied with *Finance Week* editor Allan Greenblo and then sold to Tollgate because RMB believed it inappropriate for a merchant bank to hold shares in a financial publication.

Among the bidders is former *Finance Week* managing director Stuart Murray, who says he speaks for another 30 percent of the shares.

(243) In theory, should Murray acquire the 26,7 percent stake now up for grabs, he would be in control of the company and could then sell it to one of the majors or any other interested party.

Another bidder is Greenblo, one of the three founders of *Finance Week*, who already has a 14 percent stake. He is confident an agreement with Tollgate Holdings which gives him a pre-emptive right to buy the shares is legally binding.

At the time of going to press, Van Zyl said he was waiting on legal opinion on that pre-emptive right before making any decision on the bids.

The Weekly Mail, *Finance Week* and *The Natal Witness* are the only well-established journals not owned by the two major press groupings, Argus-TML and Naspers-Perskor. Should *Finance Week* be acquired by either grouping, the Competition Board may well act to prevent the deal.

Board chairman Pierre Brooks confirms the board's concern, and says he has told the liquidator the disposal of shares under liquidation does not take the matter outside the board's ambit.

Qibla leader, paper in war of words over editorial

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W SOUTH 16/1-20/1/93.

By Rehana Rossouw

THE leader of the Muslim fundamentalist movement Qibla, Mr Achmad Cassiem, has threatened to sue a Muslim newspaper for defamation following the publication of two articles last year.

Cassiem's attorney, Mr Alie Adams, said in a letter of demand to Al-Qalam, a monthly newspaper published by the Muslim Youth Movement, that his client felt "greatly aggrieved that his public image and reputation had been tarnished" by the articles.

He demanded R500 000 for damages and defamation, saying the articles had "lowered Cassiem in the eyes of the general community" as they "cast an imputation upon his honesty, integrity, and morality as a public figure and religious leader"

Cassiem had written a column for Al-Qalam last year but stopped writing after the letter of demand was sent

The legal claim follows an editorial published in November where the

paper said Cassiem was "discourteous" for claiming at a public meeting that Al-Qalam was a "mouthpiece" for the World Conference on Religion and Peace (WCRP).

Cassiem had used his column to slam an initiative to adopt the Draft Declaration on the Rights and Responsibilities of Religious People — a process supported by WCRP

"We believe, like hundreds of Muslims that discussed the declaration in meetings and workshops throughout the country, that the declaration is so important a document that as much criticism as possible must be publicised on it," said the Al-Qalam editorial

"We offered the community Al-Qalam as a vehicle for this. For offering a widely circulated paper to the community Cassiem accuses us of being a mouthpiece of the WCRP"

Al-Qalam's legal representative requested a meeting with Cassiem to discuss the problem, but the request was refused

And you want to tell me this is 1993?

C/Pred 17/11/93.

Returned exile and well-known writer, actor and director JOHN MATSHIKIZA will be writing a monthly column looking at what's hot, what's not - and generally what's what. This, his first article, compares his impressions of the SA media and its British counterparts.

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NOBODY seems to talk about the "new SA" any more, except in jest. It seems that there was

a moment of hope which vanished at breathtaking speed, leaving us, not even with a half-baked pie, more like pie-in-the-sky. Nothing much has changed.

Probably the best way you can see this is through the eyes of the mass media. Our newspapers and radio and television stations are supposed to be reflecting what is happening with clarity and accuracy.

Instead, like everywhere else in the world, each section of the media slants what is happening to suit its own ends, and the great debate which should be working towards pulling us out of this mess never really takes off.

Unlike everywhere else in the world, SA's media is tainted with its own unique heritage: apartheid (and I thought we'd never have to use that word again!).

In London, where I've reluctantly spent most of the last 20 years, the newspaper readership divides up according to class. The workers, black and white, all read the hideous *Sun*, *Star* or the *Express* (all three of them semi-fascist pulp).

The elite of all colours divide up according to their political leanings, between the rightwing (but well-researched and well-written) *Telegraph*, the middle-of-the-road *Independent*, and the even more middle-of-the-road *Guardian*.

Now how would it be if all the workers in this country, black and white, read only the tabloid *Sowetan* and the *City Press*, and the elite stuck to *The Star* and the *Weekly Mail*?

It would mean all those white postman and - women and taxi drivers and policemen, the white working classes, would be indulging in the same fare as their peers, and people might have something to talk to each other about.

The problem with that idea is that the structure of the entire press would have to be re-organised from top-to-bottom. Why? Because the press here is organised not according to "class interests", but according to the good old myths of racial separation.

It's a great shame, and I wonder if any of the great editors of this city (apart from my own editor here, who's always ahead of the game!) have given it much thought?

You walk into the newsroom of

one of the black papers, you see an almost entirely black staff (although the actual ownership of the paper is not black - and we'll come to that later).

You walk into the massive newsroom of *The Star* or, on the other hand, *The Weekly Mail*, and you will see a heroic effort at showing off an "integrated" staff. The editors of these journals seem to be content to settle for something like two percent black, 98 percent white. So who's point of view comes across?

This seems to fit in with FW de Klerk's cunning ploy to outflank Nelson Mandela and the black majority by creating several mini white majorities in carefully chosen areas - the strategy for holding on to the "old SA".

And it's a strategy you see in most of the important public arenas - television, the radio stations, the state theatres. And nobody seems to notice the irony of the situation.

Since we know all this, and see it from day to day, why is it important for me to rehash it? Only because, as a long-lost homeboy back home, it amazes me that all this could really still be happening in 1993.

Forty years ago, my father, Todd, and his colleagues like the legendary Henry Nxumalo, were the pioneers of sophisticated black journalism in *Drum* magazine.

By their skill and their ability to communicate the black point of view, they transformed the fortunes of *Drum*, jumping the circulation from maybe 25 000 to 250 000 in a matter of months. And when white journalists needed to really know what was going on in the black world, the *Drum* guys were the ones they went to see.

Todd's comment when the boosted circulation was announced, was to exclaim excitedly, "250 000! And all done by darkie!" Then his face fell mischievously as he looked at his white editor and publisher. "If only we had the money to buy out Sampson and Bailey, we'd really be able to say it's our own thing!"

That's what I mean about ownership - we've still got a long way to go. But what is worse is that we don't even have the stylish pens of Henry Nxumalo and Todd Matshikiza and Can Themba to make us laugh off all our headaches the way they used to make us do. All of them died, on that long march away from apartheid.

As the politicians would have us say: The march goes on!

Power meter exports on the cards

BIDM 28/1/93
DURBAN-based electronics company Conlog said yesterday it was close to winning several export deals for its prepaid electricity meter system

WILSON ZWANE

Marketing manager Lynette Brull said international interest in the system — developed four years ago for Eskom's drive to electrify all township households — was generated at a recent conference in Glasgow at which Conlog's Herman Bos presented a paper.
As a result of that interest, Conlog had entered into negotiations with New Zealand, Australia, Gabon, Egypt and a number of South American countries

Brull said the system — called the E-Kard Electricity Revenue Management System — had been developed to such an extent that it was now an internationally competitive product.
Conlog, which has been selling 24 000 meters a month in the past few months, claims it dominates the southern African market. Its biggest customer is Eskom.
"To cope with increased demand, we have increased our production capacity more than sevenfold and have more than trebled our staff complement," Bos said

PAC occupies Umtata offices of newspaper

Own Correspondent

BIDM 28/1/93
EAST LONDON — About 15 PAC members occupied the Daily Dispatch's Umtata office yesterday in a protest against the newspaper's "campaign of silence" against the organisation

Two trucks delivering the newspaper to the homeland were stopped by armed men, but Transkei police did not believe there was a link between the two incidents and the sit-in

One truck was hijacked by four armed men near Tolweni. It was found near Butterworth with only the keys and number plate missing. The other truck was prevented from continuing into the homeland by a group near the Queenstown-Transkei border on the road to Lady Frere.

Daily Dispatch staff in Umtata left the office during the occupation but Transkei military leader Maj-Gen Bantu Holomisa assured the SA Union of Journalists that journalists would be protected.

PAC regional secretary Zingisa Mkabile, who led the occupation, refused to confirm or deny PAC involvement in the truck hijacking except to say the organisation was "rejoicing". He said the PAC could not guarantee the safety of Daily Dispatch vehicles and the organisation would "kill" the newspaper's business in the region.

In a statement, the PAC accused the Daily Dispatch of ignoring its statements and refusing to cover PAC events. It vowed to continue the action until the newspaper ceased its alleged "bias publishing".

Daily Dispatch editor Glyn Williams assured the PAC that the stance of the editorial staff concerning news items was "unbiased and objective".

results

factory trading results for the second half of the year, the second half showed improvement which has been achieved in a market that has been depressed throughout the year.

The company's 1992 annual results show a 25% improvement compared to the previous period's results. The results do, however, show a satisfactory annualised increase of 25% compared to the previous period.

The company has expanded its operations in the following areas:

1. A new plant was opened in Brits to produce moving trade-in vehicles.



'SA journalists harassed'

By Hugh Robertson
Star Bureau

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WASHINGTON — Black journalists in South Africa report that they have resorted to self-censorship "out of fear of retribution in the form of necklacing, shooting and torching of homes", the State Department says in its annual report on human rights around the world.

In a section devoted to freedom of speech, the report says:

"Opposition groups, and especially black militant youths, continued to harass the press. For example, in April journalists from the Natal Witness who were covering an Inkatha Freedom Party rally were charged by a group of youths, verbally abused and stoned.

"In another incident in June, a group of PAC youths assaulted reporters and photographers who were covering a funeral for some of the victims of the Botopong massacre.

"In August, the ANC regional office in Port Elizabeth, ap-

parently angered by anti-ANC editorials in the Eastern Province Herald, targeted the paper for a boycott, demonstrations and the public burning of newspapers."

The report, on each country with which the United States maintains diplomatic relations, is required by law to be submitted to Congress each year.

The report on South Africa said that in 1992 there were fewer restrictions on freedom of speech and the press.

"Both the mainstream and alternate press have vigorously

informed the public, and criticised both the Government and the opposition.

"Considerable legislation permitting the Government to restrict and penalise the press remained on the books, but it was used infrequently by the Government, while concern over official harassment, both overt and covert, declined."

But the report said: "Overt action by extreme Right and Left opposition groups has become a growing concern to journalists, reporters and photographers"

STW 22/11/93

Boesak withdraws suit

WESTERN Cape ANC leader Dr Allan Boesak has withdrawn a R100 000 defamation and damages action against Neasonale Peps and the editor of *Die Burger* ²⁴³

In papers handed in to the Cape Town Supreme Court, Boesak said he did not have the time or energy to concern himself with the matter, which he believed was raised by *Die Burger* to "harass me".

He brought the action after the publication of articles alleging Boesak was building a R250 000 house in Constantia on a R100 000 plot - *Sowetan Reporters and Sapa Sowetan* 22/1/93.

Gym School Tunics R19,99

School Shirts R11,99 / Shorts R12,99

Men's Socks — 6 pairs for R9,99

Men's Fashion Trousers R34,99

Men's shirts R12,99 / Briefs - 3 for R6,00

Ladies Baratheia Skirts R39,99

Ladies Skirts (Special) - 3 for R27,99

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Ladies 2-Pce Suits & Dresses from R39,99

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PROFESSIONAL-LEVEL STUDY COURSE

Become a

Secretary

Part of the crowd that attended the Sowetan seminar on Raising and managing money at the Central Methodist Church on Wednesday this week.

PIC: VELL NHLAPO

Four boys 'sodomised'

Sowetan Reporter

Sowetan 22/1/93
BIG MANHUNT Police launch search for man

who committed the indecent acts:

POLICE ARE SEARCHING FOR a middle-aged man who allegedly sodomised four schoolboys in Soweto this week

The boys, aged between six and seven years, yesterday told *Sowetan* they were approached by the man while on their way home from school on Wednesday

Police at Orlando confirmed having received reports on the incidents yesterday. They said they were following several leads

The boys, all Sub-standard A and B pupils at a leading primary school, said they met the man while on their way home from school

"The man told us that he wanted to go and show us how to swim at a swimming pool near

Orlando Stadium. He then forced us to undress and started fondling us," the boys said

The boys alleged the man then took them in turns to a bushy area where he sodomised them.

They said he later took them back where he had met them and asked them to meet him again yesterday so that he could buy them bicycles

He, however, failed to turn up at the spot yesterday.

The boys said the man was in his late twenties, dark in complexion, tall and was wearing a

"Delela" overall when they met him.

A mother of one of the boys said her child came home crying and told her about his ordeal

"I took him to Orlando Clinic where the nurses confirmed the incident and said the damage was minimal"

The school's principal expressed shock at the incident. "It just shows how mean some men are in the townships," she said. She said principals and teachers should warn schoolchildren against accompanying strangers after school





WEEKEND PRESS

The numbers game

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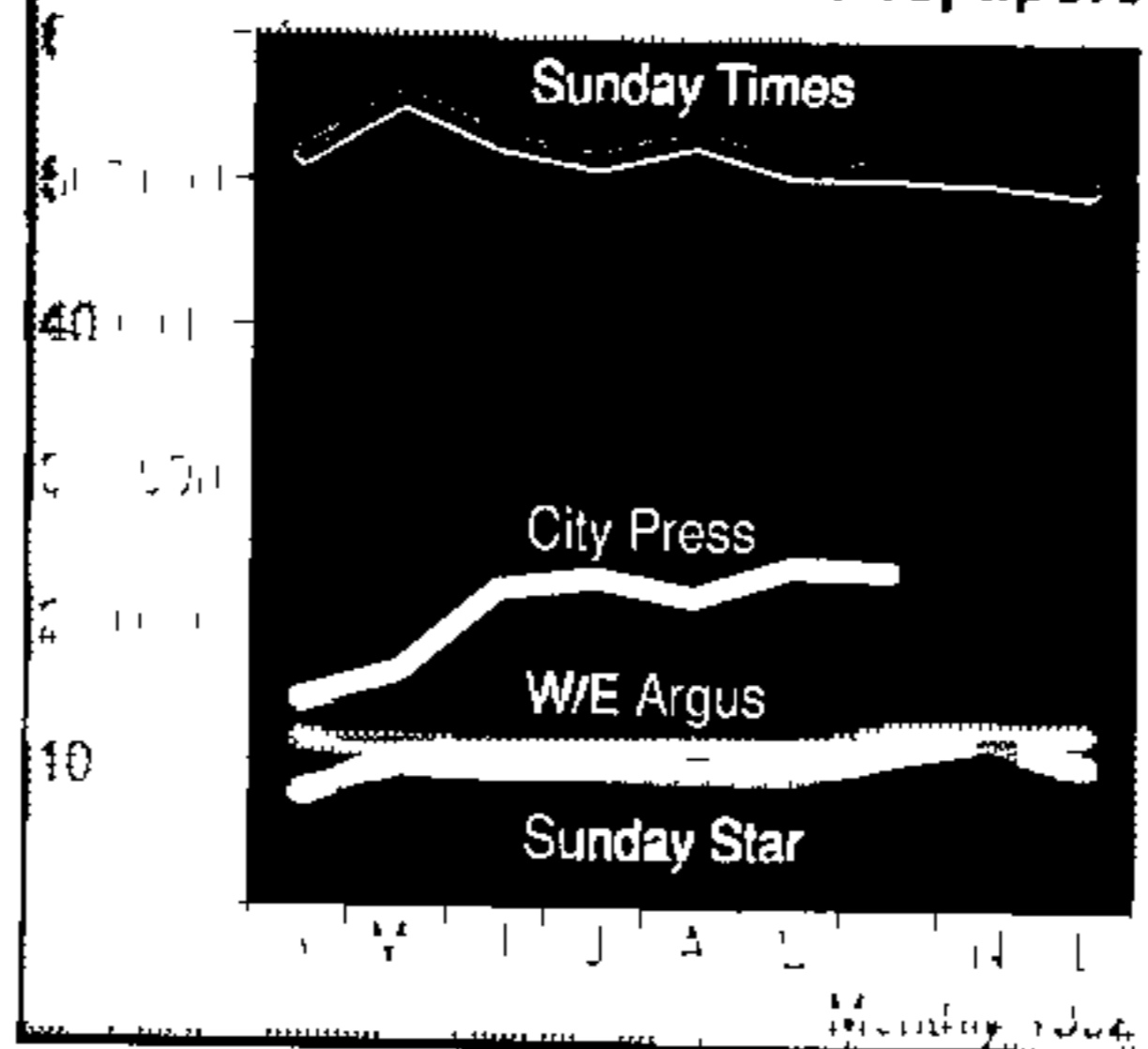
FM 22/1/93

Since Nasionale Pers's black Sunday newspaper, *City Press*, launched its Lucky Card Game early last year, circulation has leaped from around 144 000 to more than 230 000. One of SA's most successful circulation-boosting promotions ever, it is being imitated by the *Sunday Star* and the *Weekend Argus*, spawning what some believe will be a costly and ultimately self-defeating battle.

In their sights is Times Media's giant *Sunday Times*, which competes with all three in their different, more limited home turfs. "Last year, we shed some of our previous gains because a variety of newspapers in several markets all launched into the numbers game," says *Sunday Times* editor Ken Owen. "We think the gains you make from this kind of lottery tend to be transitory. But we are now getting into it and, meanwhile, our circulation is recovering." Last week it stood at 525 000.

The three competitors are using variations of the same circulation-building device: a

Sunday, bloody Sunday Circulation of weekend newspapers



plastic card given away to readers with a set of numbers or letters on it and the publication each week of winning numbers. If your number comes up — Bingo! There are, however, two potential problems. One is that

circulation gained in this way might be lost as soon as you stop running the competition. The other is that if everybody runs the same kind of promotion, circulation returns to what it would have been without the competition.

Moreover, says Owen, "since only a minuscule number of readers ever win anything, the others quickly become disillusioned and stop buying the product." Nevertheless, *Sunday Times* has been forced to respond in kind and Owen says it will be launching a promotion of its own within a few weeks.

"It is useful to boost sales quickly to give a wider range of people a new look at your product. But readers must feel you are offering more. We used the intervening months to strengthen our product by editorial improvements."

"We held off because we are dubious about the costs. In the end, we decided we had better do it. When we think it has served its purpose, we may stop it." The *Sunday Times*'s one really big promotion, the annual Finder's Keepers competition, provides a short-term circulation boost in the weeks leading up to the closing date, but this is not sustained.

Argus Newspapers' *Sunday Star*, which was relaunched with a new design and editorial philosophy last May, has seen its circulation climb from 84 000 in the second half of 1991 to a peak of 120 000 for November. Though editor Dave Hazelhurst prefers to emphasise the role of the editorial package, the fact is that circulation, which had drifted slightly down from the launch-month 100 000 to 93 000, jumped again when its Scoop game started in October.

"Sure, competitions have helped us," says Hazelhurst. "It is the first time we have been promoted. This is no different from any other newspapers. But we have been on a rising trend from May — long before we started the competitions. It is obvious the product has been accepted and circulation is rising. We have increased by more than 20% in the last six months. Most other papers' circulations have fallen, some quite drastically."

Another regional challenge is being mounted in the Cape area by the *Weekend Argus*, which is produced in separate Saturday and Sunday editions and which also runs the Scoop game. Circulation has climbed from its six-month average of 115 000 in the first half of last year to a peak of more than 124 000 in November.

But in Natal, for now, the *Tribune* has chosen not to take this route. There has been little change in the circulations there (around 105 000 for the *Sunday Times*, 120 000 for the *Tribune*)

Tony Koenderman

At helm of prestige glossy

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MANDY JEAN WOODS

SOWETAN day editor Thami Mazwai has been appointed editor of the prestige black business magazine Enterprise. He takes up his post on February 1.

Mazwai, a single parent with three daughters and a son, began his career in journalism in 1969 when he joined the Golden City Post after being expelled from Fort Hare University for allegedly leading student unrest.

Jail sentence

In 1972 he joined The World, becoming chief reporter in 1977. He then became news editor of the Transvaal Post, which succeeded The



SOWETAN'S LOSS:
Thami Mazwai to be editor of Enterprise.

World on its banning. In August 1983, having just served an 18-month sentence for refusing to testify against one of his sources, he resumed his position of news editor, but this time at the Sowetan

His initiatives in setting up the business section of the Sowetan in 1989 won him the coveted Rosholt Fellowship in 1990.

Harvard

He is also a Harvard Fellow, having spent a year at the university in 1989 where he took part in the programme for management development at the Harvard University Business School.

He enjoyed short stints on Black Enterprise magazine in New York and on the business section of the Los Angeles Times while gaining more experience in business journalism. He has also worked on newspapers in London and New York for the Argus Group.

MOSES MAMAILA speaks to PEOPLE ON T

Mazwai takes up editorship

VETERAN journalist Thami Mazwai has heeded the tuggings of his heart and ventured into business journalism.

The Sowetan day editor Mazwai is to become editor of business magazine *Enterprise* on February 1.

"Entrepreneurship is closest to my heart," said Mazwai, who started his career in journalism in 1969 with the then *Golden City Post*.

He said the magazine had "a crucial" role to play in SA's economic transformation.

"While it must continue to stimulate and enhance entrepreneurship in our communities, it is now



BUSINESS FIRST
Thami Mazwai. 243

also going to cater for black managers in the corporate world and black professionals in general," said the articulate Mazwai.

Like many black journalists, Mazwai was subjected to various forms of state harassment but never gave up.

In June 1981 he was arrested after being found in Orlando West, Soweto, interviewing Black Consciousness activist Khotso Seathlolo.

After being held incommunicado under section 6 of the Terrorism Act for eight months, he was ordered to testify against Seathlolo. Mazwai refused, saying it was against his conscience and his principles as a journalist.

For this he had to pay heavily: he was sentenced to 18 months in jail.

Paper captures imagination of youth

243 (19)

STAR 27/1/93.

At last! A newspaper especially written for young people with all the latest trends and happenings in and around greater Johannesburg and Soweto.

In an unique joint venture between sister newspapers The Star and Sowetan, an exciting new project was born. In Scene, a bright wacky and wonderful newspaper aimed at the young people of this country and keeping them up to date about happenings, fashion, sports and other exciting events.

In Scene means everything young, and especially those things that appeal to and interest the youth.

These are the young people who are going to make the new South Africa work.

So the concept was conceived and the first edition was born. It would be a supplement aimed at the young people of South Africa finding areas of common interest for all the vibrant young people from every strata of life.

It would be teenagers, or young people, writing for the youth of South Africa.

And we knew we had touched the right nerve when we ran a competition to find a name for the fledgling publication.

It was too important a project for us to pull a name out of a hat, so we called it The Newspaper With No Name — and asked our readers to submit the names they liked.

ISM caught on to the spirit of things and donated a PS/1 computer as a prize.

The response was overwhelming! The young readers — and older ones, too, responded with names and letters and ideas.

We set up an editorial board made up of teenagers, pooled their ideas and produced our first edition — calling it The Newspaper with No Name.

Then the board got together again and dissected the first edition and their new ideas were included in the second edition, which comes out this

InScene
Supplement to Sowetan and The Star 28 January 1993

WOW! IT'S THE PAPER FOR YOUNG PEOPLE

18-year-old Roberta Little is the hottest property to hit the local modelling scene in years. And boy, is this girl going places!

How 'The Newspaper with no name' became INSCENE Page 2

OUR COLUMNISTS COMBINE IN A PLEA FOR PEACE Page 3

Great leap forward for local dancer Page 4

TEEN ISSUES IN THE RADIO SPOTLIGHT Page 5

Will 'Beverly Hills' star get the bullet? Page 6

Editorial:
Sarah Sussens (011) 477-1997
Sydney Mathaku (011) 474-0128

All correspondence to:
The Editor, InScene, PO Box 1014, Johannesburg 2000

Advertising:
Gabbie Gildea (011) 474-0128
Linda Cohen (011) 880-1978

Friday in both The Star and Sowetan, with the new name, InScene.

This latest issue is a general one and includes features on:
■ The 18 year-old Roberta Little, the hottest property to hit the local modelling scene in years (she's on the front cover)

■ Our two teenage columnists writing on a matter close to their

- hearts — peace or this country
- A great leap forward for a young ballet dancer
- Teen issues in the radio world
- An updater on the Beverly Hills TV star

The theme for the next issue on February 26 is Budgeting: how to make your money stretch — and how to save your money, too.

Contacts: Editorial — Sarah Sussens (011) 477-1997 and Sydney Mathaku (011) 474-0128
To advertise in this new monthly magazine contact Gabbie Gildea (011) 474-0128 or Linda Cohen on (011) 880-1978.

Excellent response to Traveller magazine

Filled with bits of informative and useful information, the first issue of the new glossy TRAVELLER magazine has been a great success. It has been well received and is being read by a large number of people. The magazine is being read by a large number of people. It has been well received and is being read by a large number of people.

Since its launch in April last year, The Star's glossy TRAVELLER magazine has been an enormous success — both with readers and advertisers

STAR 27/1/93

(243)

The Star's Traveller magazine is a popular feature which has been a great success since its launch in April last year. It has been well received and is being read by a large number of people. The magazine is being read by a large number of people.

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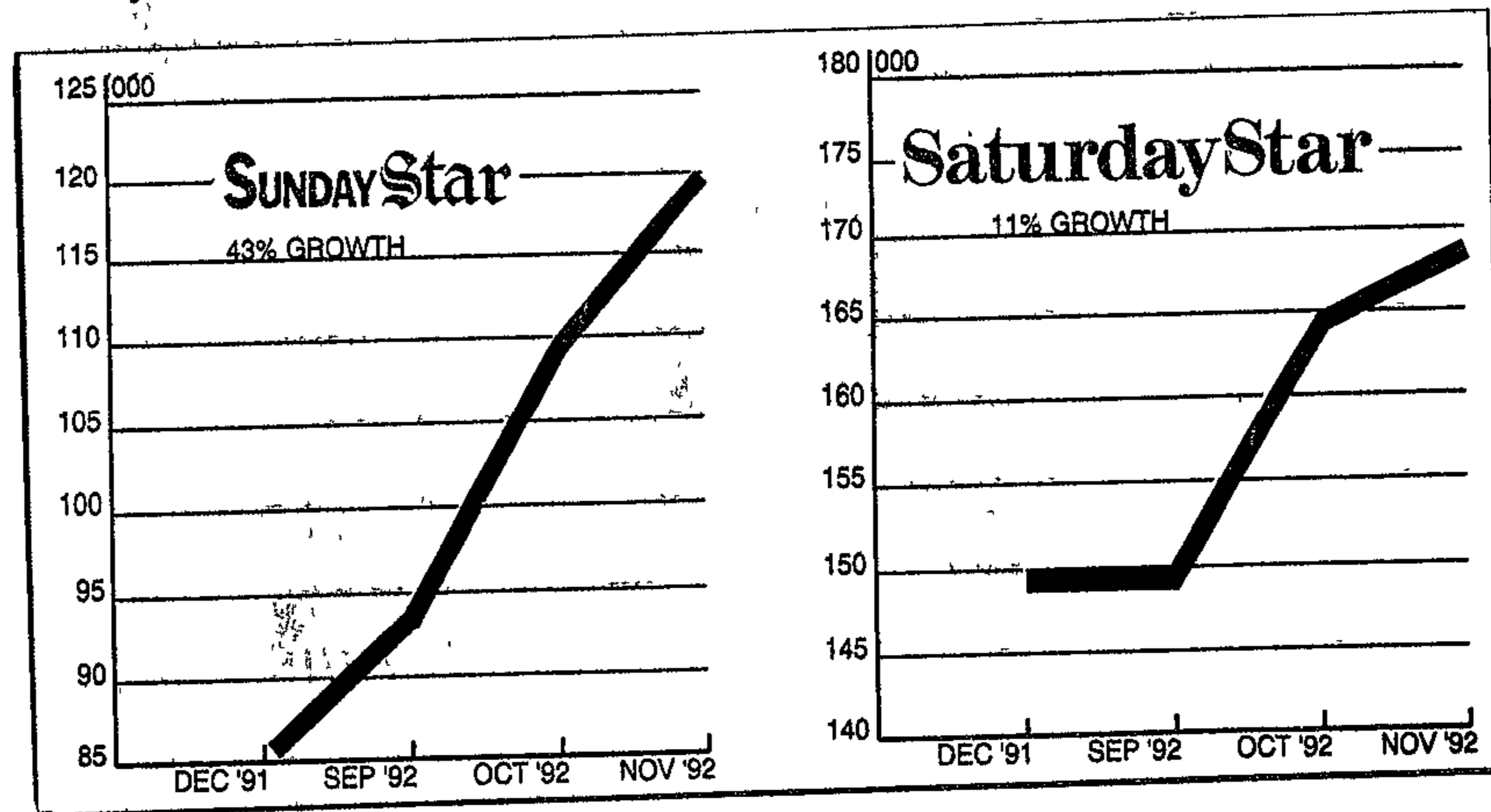
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27/1/93

Stars rise on the weekends

Our two weekend papers Saturday Star and Sunday Star have now really established themselves as favourites with readers, showing very healthy circulation gains.



From the graphs it can be seen that the Sunday Star average sales increased by 26 833 in the three months September to November last year.

At the same time, the Saturday Star readership has also been on the up and up.

Average net sales from September to November 1992 went up by 18 171. In fact, in November, sales reached their highest yet with a record circulation of 16 7198.

Looking at the big picture from December 1991 to November

1992, it is easy to see that sales of both papers keep climbing with an overall 11 percent circulation for the Saturday Star and an impressive overall circulation growth of 43 percent for the Sunday Star.

This all goes to show what many thousands of South Africans reach for every weekend:

The popularity of the brighter and more colourful and modern Saturday look and the easy to handle tabloid format of the multi-section Sunday Star, is clearly established. This, of course, can only be good news to those who advertise with us.

Mum's the word in marketplace

When Star sales executive Niki Hart saw the first edition of the Star MOTHER magazine appear in the paper last November, she never expected the response that followed. The calls kept pouring in, both from readers and advertisers.

Free to selected readers of The Star, the glossy magazine provided useful advice and tips to mothers.

Articles ranged from medical care during pregnancy to cot deaths and help for tiny teeth.

"The Star MOTHER is a unique product that seems to have played a very important role in providing information to mothers and mothers-to-be," says Niki.

MOTHER magazine, planned as a one-off product, has been so successful that it was decided to publish it quarterly.

I guess that with The Star's huge readership it also provided advertisers with a medium that simply did not exist before," she says.

"Advertisers were thrilled with the response to the first edition.

"The magazine is printed on 80 gsm gloss paper which, to the non-technically minded, means that it has a luxury feel that shows off advertisers' products to the best advantage."

Although the first edition was planned as a one-off product demand was such that it was decided to bring out the magazine on a quarterly basis. The next issue of The Star MOTHER will be published on March 10.

For further details, contact Niki Hart on (011) 633-2765 between 9am and 2pm or fax her on 834-3938.

Deliveries withdrawn

■ PAC supporters occupy East London newspaper bureau:

THE *Daily Dispatch* yesterday withheld deliveries to Transkei after two delivery vans were interfered with on Wednesday while its Umtata bureau remained occupied by PAC supporters

This comes after the Transkei PAC on Wednesday vowed to strangle the newspaper's business in the territory over what it claims is a "campaign of silence" being waged against the organisation.

A member of the Umtata bureau said yesterday morning that the office was still occupied by about 20 PAC supporters who had seized it early on Wednesday.

Editor of the East London-based *Dispatch*, the major daily newspaper circulating in Transkei, confirmed yesterday that deliveries to the territory had been withheld

He referred to the fact that the PAC regional secretary, Mr Zingisa Mkabile, said on Wednesday he could not guarantee the safety of *Dispatch* trucks - *Ecna*

243

29/11/93

(243)
Bureau occupied:
Talks expected
APR 29 1993

EAST LONDON. — The Transkei Pan Africanist Congress and the Daily Dispatch have said they are open to talks to resolve the dispute which has brought the distribution of the newspaper in the homeland to a halt.

The newspaper's management decided not to send delivery vehicles into the Transkei today. Distributors there have been threatened by the organisation and a group of PAC supporters have vowed to continue the occupation of the paper's Umtata bureau.

The PAC said it had taken these steps in protest against the Dispatch's lack of coverage of its activities. The newspaper has insisted it is unjustly accused.

Transkei PAC regional secretary Mr Zingisa Mkambile has sent an open letter to the Dispatch responding to its comments.

He said the PAC was willing to negotiate under certain conditions, proposing that the Dispatch holds direct talks with representatives of the Transkei PAC and suggesting Umtata as a suitable venue.

Dispatch editor Mr Glyn Williams said the newspaper would "not rule out any form of communication". — Ecna.

EAST LONDON — A sit-in by PAC members at the Umtata bureau of the Daily Dispatch newspaper entered its third day yesterday. (243)
Reports by Staff Reporter, Own Correspondent, Sapa-Reuters AP and UPI
CP 30/1/93

Reading Press

Apr 31/1993

By **EDWARD FRENCH**, co-ordinator of the Adult Literacy Unit, assistant director of the Centre for Continuing Education at the University of the Witwatersrand, and a consultant to the Independent Examinations Board.

...million who miss out on reading!

HOW many adults do you know who can read – but don't? Probably far more than you realise.

It is well known that five million or more adults in SA can't read at all. But we often forget that there are many millions more, perhaps seven to 10 million, who know the alphabet and can struggle with a few words, but who can't really get much out of a newspaper like City Press.

Some buy the paper to give the impression they read. Others don't even try to pretend. They have just given up or lost interest.

These people have been led to the door of the house of learning and pleasure which is opened by reading, but cannot cross the threshold.

The door is locked to them because of a poor education. They have not learnt to read well

enough, especially in English.

Perhaps the saddest part of their education is that it has not encouraged them to love reading. Reading is treated as work. In communities where reading is a rich resource for earning, learning and liberation, learners are taught to love and enjoy reading through many encounters with stories and articles that they can manage without a struggle.

City Press has joined the effort to promote reading by publishing Reading Press for adults in every issue in which Learning Press appears.

Reading Press is made so that all the readers of City Press can enjoy it. It is just as interesting as other parts of City Press. But it is a lot easier, so that people who don't normally read the newspaper can also read it.

Through reading it, these new readers will not only get information and enjoyment, they will also grow in their reading.

There are few excellent publications like Reading Press in SA, and each has a part to play in building literacy. Like these other easy papers and magazines, Reading Press is written in accessible English with aids to reading, especially the little dictionaries.

Reading Press is different in a number of ways. It looks like any other newspaper to make it clear that it is not inferior. It covers major news issues as well as useful information about health and money matters.

And most of all, it contains original short stories written by ordinary members of the community. The stories or story segments are short and easy enough



for new and experienced readers of English to be able to complete with a sense of achievement and pleasure.

Here are some suggestions about how you can make good use of Reading Press. Above all, be a good role model yourself. Let reluctant readers among your family and friends see that you read it with pleasure. Tell them about it. Pass it on to them. Or read it with them and discuss it.

However, don't make it into a hard task or force it on them. Perhaps you could pass your copy on to a literacy class in your area, or tell the teacher about Reading Press. In these ways you will participate in a small but very important way in promoting literacy – one of the cornerstones of national reconstruction in SA.

Reading Press is a collaborative effort of the ERA Initiative, which promotes Easy Reading for Adults (ERA), Via Afrika publishers, and City Press newspaper itself. The team encourages and looks forward to feedback about Reading Press from readers.

Reading Press is food for thought

By **LOUISE STRUWIG**, Editor of Learning Press

CITY PRESS is proud to announce their latest exciting project – Reading Press.

This recently launched four page tabloid further extends our commitment to education, while breaking new ground.

Since 1988 City Press has actively been involved in Education. First came the highly successful Learning Press supplement, aimed at aiding black matriculants in passing their final examinations.

Wilna Both, commissioned by the Education Foundation to do research on the "Role of the Media in Education", used Learning Press as an example of success in

a recent workshop.

Now City Press has reaffirmed its commitment to educating the people of southern Africa with Reading Press, which provides bridge literature for adults. Together with Via Afrika as sponsor, and with guidance from the ERA Initiative, City Press identified a great need among the population of southern Africa for new literature.

We were motivated by the fact that many people have some reading skills but are not able to extend their skill, because most literature available is beyond their capability. These people are, in general, eager to keep abreast of developments and news.

Reading Press fills the gap by

providing the latest news, articles on life skills and delightful fiction. These articles are written by literacy experts carefully chosen by Via Afrika and ERA for their skill and dedication.

Each issue of Reading Press is carefully monitored by Via Afrika and ERA, who with their many years of experience in neo literature, make sure that the content, language and layout meets the delicately balanced requirements of our new readers.

Reading matter is presented in simple English and accompanied by pictures and a dictionary which explains new or unfamiliar terms. Great care is taken to provide a 'mini-newspaper' for adults that is easy to read but still appealing to the mature mind.

PAC vows to 'crush' newspaper

By DAWN BARKHUIZEN

CIRCULATION of the only daily newspaper in the Transkei, the East London-based Daily Dispatch, ceased this week when PAC members padlocked the newspaper's Umtata offices (243) (AP)

They also occupied the premises and warned local distributors that "selling the newspaper would not be a safe thing to do"

PAC regional secretary Zingisa Mkabile was at pains this week to

stress that the PAC's fight was not with Daily Dispatch journalists

The fight was with management who, unless they travelled to Umtata to iron out complaints, would force the PAC to "crush the Dispatch"

Said Mr Mkabile "It is the right of any journalist with a guilty conscience to be intimidated But we do believe in freedom of the press, freedom of association and the free flow

of information That is why we are fighting with the Daily Dispatch It is not publishing our information"

The PAC said there were five instances in which the Daily Dispatch allegedly failed to report on PAC events in the Transkei and one in which information was allegedly relayed to the SAP

Daily Dispatch editor Glynn Williams said some of the items had been published — one with a picture

Si Times 3/1/93

Tiny Rowland joins backers of newspaper venture

ANC STARTS OWN DAILY

Gallant Martin meets his match



S/Times 21/1/93

BY CHARLENE SMITH

THE ANC is to launch a daily newspaper and three magazines by June with massive support from local and overseas businessmen.

One of the top backers of the scheme is multi-millionaire Tiny Rowland, a close friend of ANC chairman Oliver Tambo and former head of Lonrho, which owns the Observer newspaper in London.

A 15-member Nigerian delegation headed by Chief Abiola, head of the Nigerian stock exchange, newspaper owner and head of several companies, arrives in Johannesburg tomorrow night to discuss final details of the proposed weekly news magazine.

ANC sources say the newspaper was at first envisaged as a weekly publication but, on advice from international backers, will be a daily paper.

A spokesman for Observer editor Donald Treford confirmed that he had had lunch recently with "ANC" people interested in a newspaper project, but he referred all further inquiries to Lonrho.

A number of top South African companies have been approached to invest in the business. This week the insurance giant Sanlam

Met filly

set to take US by storm

By DAVID MOLLETT

EMPRESS CLUB — heroine of yesterday's R750 000 J & B Met at Kenilworth — is set to join the export drain to America within a few months.

"I hope we'll overcome the quarantine difficulties and that she'll be able to fly the flag for South Africa over there," said ecstatic owner Laurie Jaffe.

The Argentinian-bred filly has now won 14 of her 16 starts and earned more than R2.8-million. Bookies had long faces after she won the favourite's

several companies, arrives in Johannesburg tomorrow night to discuss final details of the proposed weekly news magazine.

ANC sources say the newspaper was at first envisaged as a weekly publication but, on advice from international backers, will be a daily paper.

A spokesman for Observer editor Donald Trelford confirmed that he had had lunch recently with "ANC people interested in a newspaper project", but he referred all further inquiries to Lonrho.

A number of top South African companies have been approached to invest in the business. This week the insurance giant Sanlam confirmed it was considering a proposal to invest in the project.

The venture has also been assured of financial and training assistance from some foreign governments, including Sweden.

The ANC and its trade-union ally Cosatu have been planning the launch for more than two years, but they still refuse to comment publicly.

Commercial

The ANC drive to get its own publications comes after a failed attempt by the organisation to purchase the Sowetan newspaper.

It is unhappy at what it regards as the over-concentration of ownership of the press in South Africa. It has said that an ANC government would introduce legislation to bring about the unbundling of ownership of the press.

While the ANC is sinking considerable capital of its own into the project — an estimated R20-million — it is planning the publications as commercial ventures.

In addition to a daily newspaper and a weekly news magazine, it is planning an up-market women's magazine targeted at the black market and another magazine directed at the coloured community.

The ANC has begun accelerating the launch date of its publications, in particular the newspaper, with an eye to the elections which are expected to take place early next year.

The project is being headed by ANC director of information Pallo Jordan and Cosatu media expert Moletsu Mbeki.

The two travelled to London with Mr Dali Tambo, son of the ANC chairman, a fortnight ago, when they met Mr Rowland and a number of other businessmen, including Liberty Life chairman Donald Gordon.

Liberty Life denies that it is investing in the project. But Sanlam spokesman Andre

Coetzee said his company had been approached to "help with financing a newspaper as an investment proposition, but a final decision has not yet been taken".

Chief Abiola attended last week's SA Development Co-ordination Conference in Zimbabwe. He is almost wholly funding the news magazine, which will have an all-Africa focus.

The management board of the publications will include top ANC and Cosatu leaders, and also representatives of international backers, which are believed to include Lonrho, Time-Warner, US News and World Report, and SA companies.

An undertaking by Mr Rowland in London 10 days ago to support the project has ensured that publication dates can be brought forward.

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Cattle

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288 (292)



PAC reaffirms armed struggle

UMTATA — The PAC at the weekend here reaffirmed its commitment to the armed struggle and resolved to continue contributions to Apla, its armed wing. It was also decided that the sit-in at the Daily Dispatch offices here, which entered its fifth day yesterday, should continue until the newspaper's management met the PAC.

ANC paper: A business move

243 ~~1/2/93~~ cr 1/2/93

Own Correspondent

JOHANNESBURG. — Sanlam senior media relations manager Mr Boet van der Spuy confirmed that his company had received a request from the ANC to invest in its venture to produce a newspaper and magazines and that it was seriously considering the proposal

Mr Van der Spuy was unable to provide details of the amount involved as Sanlam had to respect the confidentiality of its clients

Mr Van der Spuy was reacting to a report in Sunday newspapers that the ANC would be launching a daily newspaper and three magazines by June this year and that several top South African companies had been approached to fund the publications

The reports also said one of the backers was former Lonrho head Mr Tiny Rowland

Publishing a big risk — editors

By DAN SIMON

PAST and present newspaper editors yesterday reacted to ANC plans to launch a daily newspaper — warning the organisation that it may be biting off more than it could chew

Commenting on the proposed launch, former Cape Times editor Mr Tony Heard said there was a “desperate need for greater press diversity”

“I hope they realise there is only

one way to lose money more rapidly and that's drilling for oil”

Former Rand Daily Mail editor Mr Raymond Louw said “I think the ANC is embarking on a difficult project.”

South editor Mr Guy Berger said “Everyone should have the right to publish, including political parties”

The Burger's editor Mr Ebbe Domisse said “The trend in South Africa has been one of political parties moving away from owning newspapers.”

ANC spokesman Mr Carl Niehaus said reports that the ANC was to launch a daily newspaper and three magazines in June were “incorrect and misleading”, Sapa reports

“The ANC will only facilitate the launching of the publications. The publications will in no way be ANC-owned and no firm date has been set,” he said

Mr Niehaus hoped other parties might be interested in the venture and help with the creation of a “democratic press”

Mr Van der Spuy denied that

Sanlam was asked to donate the money to the ANC. Sanlam did not involve itself in politics

The request was being viewed purely as a potential business transaction, and a decision on whether to go ahead with it would be made soon

CHRIS BATEMAN reports that Donald Trelford, editor of the Lonrho-owned Observer in London, confirmed that he had met ANC members, “interested in a newspaper project” in London recently but denied the Observer was directly involved

ANC publications 'democratic'

By Helen Grange

(243)

The ANC has insisted that the newspaper and three magazines it is jointly planning with other concerns will not be ANC publications, but "democratic publications"

The ANC is playing a facilitating role in the planned launch of a daily newspaper, a weekly news magazine, an up-market women's magazine and a magazine directed at the coloured community, spokesman Carl Niehaus said yesterday.

He said a 15-member Nigeri-

an delegation headed by Chief Abiola — head of the Nigerian Stock Exchange, newspaper proprietor and owner of several companies — would arrive in Johannesburg today to "discuss and consult" about the matter

A Sunday newspaper said a number of top South African companies, including insurance giant Sanlam, had been approached to invest in the businesses.

It said the ANC was planning to invest about R20 million in the projects, but this could not be confirmed yesterday

Sanlam asked to back paper

SANLAM senior media relations manager Boet van der Spuy confirmed yesterday that Sanlam had received a request from the ANC to invest in the publication of a daily newspaper. He added his company was considering the proposal seriously.

Van der Spuy was unable to provide any details of monies involved as Sanlam had a duty to respect the confidentiality of its clients. (243) (H)

He was reacting to reports in Sunday newspapers that the ANC would be launching a daily newspaper and three magazines by June this year, and that several top SA companies had been approached to fund the publications.

The reports also said one of the top backers of the scheme was former Lonrho

KELVIN BROWN

head Tiny Rowland

However, the ANC yesterday denied the publications would be for the ANC, saying they would be "democratic publications".

ANC spokesman Carl Niehaus said reports that the ANC was to launch a daily newspaper and three magazines in June were "incorrect and misleading", Sapa reports. "The ANC will only facilitate the launching of the publications. The publications will in no way be ANC-owned and no firm date has been set."

Niehaus said it was hoped other parties might be interested in the venture and help create a "democratic Press".

To Page 2

Sanlam BLOAM 11/2/93

Van der Spuy dismissed reports that Sanlam was asked to donate the money to the ANC.

Sanlam had a policy not to donate money to any political organisation and did not involve itself in politics

"If we did, this would upset some of our policyholders. We have all types of policyholders representing the whole spectrum of political thought," Van der Spuy said.

The request was being viewed as a potential business transaction

"Any decision to invest would be based purely on whether the investment offers good returns and provides adequate guarantees. We do not want to lose money," Van der Spuy said

A decision on whether to proceed with the investment would be made soon

CHRIS BATEMAN reports that Donald Trelford, editor of the Observer in London which is owned by Lonrho, confirmed that he had met ANC members "interested in a newspaper project" in London recently, but he denied that the Observer was direct-

From Page 1

ly involved. (243) (H) (S)

A spokesman for his office said "ANC people interested in a newspaper project were in London and he invited them for lunch. That is the sum total of the Observer's involvement."

She said suggestions that the newspaper was sending a team to SA to assist in setting up a newspaper were wrong

She could not speculate on Lonrho involvement in the project although the Sunday Times said yesterday Rowland's recent undertaking to support the project had ensured publication dates had been fixed for June this year.

The newspaper said the ANC would be investing up to R20m of its own capital in the project.

Niehaus confirmed that a 15-member Nigerian delegation headed by Chief Abiola, head of the Nigerian Stock Exchange, newspaper owner and owner of several companies, would arrive in Johannesburg on Monday to "discuss and consult" on the matter.

Journals 'won't be owned by the ANC'

243

Sowetan 1/2/93
■ Media reports 'incorrect
and misleading':

THE publications to be launched in the future "are not African National Congress publications", but "democratic publications", the ANC said yesterday.

Reacting to media reports at the weekend that the organisation was to launch a daily newspaper and three magazines in June, ANC spokesman Mr Carl Niehaus said the reports were "incorrect and misleading".

"The ANC will only help launch the publications which will in no way be ANC-owned and no firm date has been set," he said. Niehaus said it was hoped other parties might be interested in the venture and join in helping create a "democratic Press".

He confirmed a 15-member Nigerian delegation headed by Chief Abiola, head of the Nigerian Stock Exchange, and newspaper owner, would arrive in Johannesburg today to "discuss and consult" about the matter - Sapa.

Star 2/2/93 (243)

Protest at newspaper ends

The six-day-long sit-in protest at the Daily Dispatch newspaper offices in Umtata was called off yesterday following an agreement reached between the company and the PAC. PAC regional secretary in Transkei, Zingisile Mkabile, said the organisation decided to suspend the action after the Daily Dispatch management agreed to conditions laid down by them. Mkabile said the Daily Dispatch has promised to publish fully the PAC's Christmas message. (243)

PAC sit-in continues

Sowetan 2/2/93.
THE sit-in by members of the Pan Africanist Congress at the *Daily Dispatch* bureau in Umtata continued yesterday — despite a weekend meeting between the two parties in Umtata.

Transkei PAC regional secretary Mr Zingisa Mkabile said yesterday that PAC members were still at the *Dispatch* office in a "big way".

The PAC's Transkei region launched the sit-in last week to protest against what the PAC called a "campaign of silence" waged by the *Dispatch* against the organisation.

The distribution of the *Daily Dispatch* to Transkei is still suspended.
Mkabile said there could be another meeting

■ No agreement despite meeting with management of the *Daily Dispatch*: (103) (243)

with the *Dispatch* management.

Daily Dispatch editor Glyn Williams was not available for comment yesterday morning.

The newspaper yesterday published the Transkei PAC's Christmas-New Year message. The *Dispatch*'s failure to publish the message in full was cited by the PAC as an example of the alleged campaign against the organisation - *Elnews*.

Gar 3/2/93
Foreign funds for bursaries

Donald Woods, former editor of East London's Daily Dispatch, has elicited R2 million for 24 Eastern Cape black students to study journalism at Rhodes University this year. The head of the Department of Journalism and Media Studies at the university, Professor Gavin Stewart, said yesterday the bursaries would be given to students from the eastern Cape, including Transkei and Ciskei, as Woods felt the region remained under-funded.

~~243~~ (243)

Star 3/21/93



New battles shatter Zaire

KINSHASA — Heavy shooting broke out afresh in Zaire's capital last night, just as life appeared to be returning to normal after riots which cost at least 80 lives.

A sustained crackle of rifle fire erupted from several parts of the sprawling city of Kinshasa on the Congo River.

It was punctuated by the deeper sound of machine-guns. Glowing red tracer bullets could be seen streaking across the night sky like fireworks, apparently shot deli-

berately into the air. The thud of a few mortars also echoed across the city.

Much of the firing appeared to come from the direction of Kokolo military camp, just south-west of the city centre. It houses soldiers who ran amok in the capital on Thursday and Friday, looting homes, shops and warehouses after being paid in banknotes made worthless by an opposition boycott.

Other shots appeared to come from Loano army camp, farther west, and the

city centre to the east. Some were fired close to the luxury Intercontinental Hotel which serves as a safe haven in Zaire's periodic bursts of violence. At least one bullet swished through trees in the hotel grounds.

Crushed

It was not clear whether the shooting indicated an upsurge in looting, or renewed gun battles between rival groups of soldiers.

Elite troops loyal to Presi-

dent Mobutu Sese Seko crushed last week's riots mercilessly, leaving bodies littering the streets, and diplomats say they have carried out reprisal killings since.

Jean-Joseph Mukendi, a close aide of Prime Minister Etienne Tshisekedi, said yesterday at least 1 000 people were killed, most of them soldiers. Civilians killed in looting or crossfire included the French ambassador to the central African country.

Diplomats said they counted at least 80 bodies, but the

An informal curfew rules the city through the hours of darkness. — Sapa-Reuter.

total would never be known as many corpses had been dumped elsewhere.

There has been sporadic shooting every night since the violence began, but last night's outburst was the worst since Saturday night.

Life had been starting to return to normal yesterday, with vehicles and pedestrians returning to the previously deserted streets.

'I saw blood on guard's clothes'

By Anna Louw
East Rand Bureau

A petrol attendant told a Delmas Circuit Court yesterday he saw blood on the shirt and trousers of a former Fidelity Guards staff member on trial for the murder of a colleague.

Isaac Mea was giving evidence before Mr Justice F C L Roos about Johan van Eyk (37), son of Lieutenant-General Mulder van Eyk who

retired last year as a deputy commissioner of police.

Van Eyk and two others, Willem Oosthuizen (26) and Hendrik Gerber (43), are on trial for the murder of Samuel Kganakga on May 21 1991. They have all pleaded not guilty.

The State alleges the murder occurred while the three were members of an investigating team questioning Kganakga in connection with the theft of R60 000 from Fi-

dentity Guards.

Mea said that on the night of May 21 he saw a white Nissan bakkie driven by Van Eyk, a former police sergeant, stop at a petrol pump.

Mea said he saw blood on the front of Van Eyk's shirt and trousers as well as on the vehicle's keys. Mea said he saw someone, covered with a piece of foam rubber, lying on the back of the bakkie. He testified it was clear to him that the person was dead.

The case continues

Editor in court over bugging

Weekly Mail co-editor Anton Harber appeared briefly in the Johannesburg Regional Court yesterday in connection with the newspaper's surveillance of former Civil Co-operation Bureau co-ordinator Staal Burger.

A warrant of arrest was issued for co-accused Jan Kleynhans, a private investigator from Krugersdorp, who failed to appear in court. The matter was postponed to February 9.

Harber and Kleynhans are charged with crimen injuria

and malicious damage to property.

In September, Burger was granted an interim interdict in the Rand Supreme Court against the Weekly Mail after he had found four private investigators next door to his office recording his conversations. They had drilled through the skirting board and inserted a microphone.

The interdict prevented the newspaper from publishing any information gained by bugging the office. — Staff Reporter.

Star 3/21/93

Weekly Mail
editor in court

JOHANNESBURG. —
Weekly Mail co-editor
Mr Anton Harber ap-
peared in the Regional
Court yesterday in con-
nection with the news-
paper's surveillance of
former CCB co-ordinator
Mr Staal Burger

A warrant of arrest
was issued for Mr
Harber's co-accused, Mr
Jan Kleynhans, a private
investigator from
Krugersdorp. The mat-
ter was postponed to
February 9. — Sapa

Patrick Laurence advises journalists to prepare to defend press freedom once more

Star 3/2/93

'New Nats' already bristling

THE interregnum between the final demise of the apartheid regime and the long-awaited birth of a new order is providing the press with perhaps the greatest freedom that it has enjoyed since the formation in 1910 of the modern South African state.

The fetters which were imposed on newspapers by the ruling National Party under President de Klerk's authoritarian predecessors have been removed. The draconian laws which were used to close down newspapers have been put into cold storage.

Afrikaner nationalists — the "Old Nats" — as they have been labelled by political observers — have belatedly allowed journalists to enjoy their newly acquired freedom from legislative constraints and, for the most part, police surveillance and harassment. And they are encouraged by declarations from African nationalists — the "New Nats" — committing themselves to protecting this freedom.

Journalists, however, would be naive to take these declarations by the Pan-Africanist Congress,

the African National Congress and the Inkatha Freedom Party at face value.

Individuals in these organisations may be sincere but politicians, whoever they are, have a penchant for trying to control the press when they come to power. Their inclination to do so is matched by their ability to find excuses for restraining the press.

South African history is littered with rationalisations the "Old Nats" used to affirm their commitment to a "free but responsible press" and accuse non-compliant journalists of being polemicists and subversives — and even "media terrorists".

Already ominous signs are emanating from the ranks of the "New Nats", suggesting that their commitment to press freedom will prove stronger in the abstract than in practice.

The most recent of these omens is the occupation of the Umtata office of the East London-based Daily Dispatch by PAC zealots in protest against the "campaign of silence" allegedly waged against it by the Dispatch.

The occupation has been made

particularly acrimonious by PAC charges that the Dispatch is conniving with the security police because it faxed a PAC New Year statement, warning of an intensification of its "liberation war", to the police for comment.

The protest action has been reinforced by a warning from the Transkei PAC secretary, Zungisa Mkhale, to distributors not to sell the Dispatch while the dispute is unresolved.

The implications of his warning are unmistakable. "Doing so will not only affect your ability to serve your customers (but) will not be a safe thing to do both for you and your business."

As Karen Stander, general secretary of the Southern African Union of Journalists (SAUJ), has remarked, the PAC actions have placed assurances that it will not harm journalists in grave doubt.

These assurances should be seen in the context of an attack on white journalists by young men suspected of being PAC members at the funeral last June of the victims of the Bopatong massacre. The attack is identified as a threat

to press freedom in a recent US State Department report.

Since the attack, the PAC has refused to sign a declaration drawn up by the SAUJ, in which political organisations pledge to use their influence to "promote the safe conduct and physical safety of journalists" in return for a promise by the union to promote adherence to its code of conduct — and that of the International Federation of Journalists — in its ranks.

The US report also focuses on the behaviour of IFP militants in April last year "Journalists from the Natal Witness who were covering an Inkatha Freedom Party rally were charged by a group of youths, verbally abused and stoned," it says.

Another potentially sinister development is related by the US report, the boycott organised by the local ANC of the Port Elizabeth-based newspapers, the Eastern Province Herald and the Evening Post, for alleged bias.

The boycott — which was graphically reinforced by the burning of copies of the newspapers in front of the Port Elizabeth

both headquarters of the publishing company, Times Media Limited — stands out as a bid to influence the direction of editorial policy and undermine the independence of newspapers.

As Raymond Louw, chairman of the Campaign for Open Media, has noted, the boycott was a "dangerous precedent for the future".

The boycott must be seen, too, in the context of frequent references in ANC circles to South Africa's main newspapers as the "commercial press", a phrase which implies — and is meant to imply — that they are controlled by the capitalist companies who own them.

The insinuation is reinforced sporadically by allegations that the "commercial press" sided with P W Botha and B J Vorster during the struggle against apartheid. It is a manifestation of the shibboleth that apartheid and capitalism are "two sides of the same bloody coin".

Recent events have given new pertinence to the incisive book, *Mau-Mauing the Media, New South Censorship for the New South Africa*. Published by the Institute

of Race Relations, it contains a number of disturbing articles by either black journalists or people involved in newspapers catering mainly for the black community.

Two articles are particularly worth reading or re-reading: the first by Thami Mazwai, until recently an assistant editor on the Sowetan, and the second by Arthur Konigkramer, managing editor of Mandla-Matla Publishing, owner of the IFP-linked newspaper, Ilanga.

Mazwai tells how journalists are "being threatened and manipulated by political activists in the townships, in the towns and everywhere, and . . . told to toe the line or else". The line, one gathers, is that of the dominant ANC-led alliance.

Konigkramer relates how Ilanga was boycotted, how shop-owners selling it were warned to stop doing so and how people who defied the ban were forced to eat the newspaper.

Journalists should relish the interregnum while it lasts, but put iron in their souls and steel in their hearts for the coming battles in defence of press freedom. □



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Patrick Laurence advises journalists to prepare to defend press freedom once more

Star 3/2/93

New Nats' already bristling



243

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particularly acrimonious by PAC charges that the Dispatch is conniving with the security police because it faxed a PAC New Year statement, warning of an intensification of its "liberation war", to the police for comment.

The protest action has been reinforced by a warning from the Transkei PAC secretary, Zingisa Mkhale, to distributors not to sell the Dispatch while the dispute is unresolved.

The implications of his warning are unmistakable. "Doing so will not only affect your ability to serve your customers (but) will not be a safe thing to do both for you and your business."

As Karen Stander, general secretary of the Southern African Union of Journalists (SAUJ), has remarked, the PAC actions have placed assurances that it will not harm journalists in grave doubt.

These assurances should be seen in the context of an attack on white journalists by young men suspected of being PAC members at the funeral last June of the victims of the Boipatong massacre. The attack is identified as a threat

to press freedom in a recent US State Department report.

Since the attack, the PAC has refused to sign a declaration drawn up by the SAUJ, in which political organisations pledge to use their influence to "promote the safe conduct and physical safety of journalists" in return for a promise by the union to promote adherence to its code of conduct — and that of the International Federation of Journalists — in its ranks.

The US report also focuses on the behaviour of IFP militants in April last year. "Journalists from the Natal Witness who were covering an Inkatha Freedom Party rally were charged by a group of youths, verbally abused and stoned," it says.

Another potentially sinister development is related by the US report the boycott organised by the local ANC of the Port Elizabeth-based newspapers, the Eastern Province Herald and the Evening Post, for alleged bias.

The boycott — which was graphically reinforced by the burning of copies of the newspapers in front of the Port Eliza-

both headquarters of the publishing company, Times Media Limited — stands out as a bid to influence the direction of editorial policy and undermine the independence of newspapers.

As Raymond Louw, chairman of the Campaign for Open Media, has noted, the boycott was a "dangerous precedent for the future".

The boycott must be seen, too, in the context of frequent references in ANC circles to South Africa's main newspapers as the "commercial press", a phrase which implies — and is meant to imply — that they are controlled by the capitalist companies who own them.

The insinuation is reinforced sporadically by allegations that the "commercial press" sided with P W Botha and B J Vorster during the struggle against apartheid. It is a manifestation of the shibboleth that apartheid and capitalism are "two sides of the same bloody coin".

Recent events have given new pertinence to the incisive book, *Mau-Mauing the Media, New South Africa*. Published by the Institute

of Race Relations, it contains a number of disturbing articles by either black journalists or people involved in newspapers catering mainly for the black community.

Two articles are particularly worth reading or re-reading the first by Thami Mazwai, until recently an assistant editor on the Sowetan, and the second by Arthur Konigkramer, managing editor of Mandla-Matla Publishing, owner of the IFP-linked newspaper, Ilanga.

Mazwai tells how journalists are "being threatened and handled by political activists in the townships, in the towns and everywhere, and ... told to toe the line or else". The line, one gathers between the lines, is that of the dominant ANC-led alliance.

Konigkramer relates how Ilanga was boycotted, how shop-owners selling it were warned to stop doing so and how people who defied the ban were forced to eat the newspaper.

Journalists should relish the interregnum while it lasts, but put iron in their souls and steel in their hearts for the coming battles in defence of press freedom. □

Mail editor is charged (243)

WEEKLY Mail co-editor Mr Anton Harber appeared in the Johannesburg Regional Court yesterday in connection with the newspaper's surveillance of former Civil Co-operation Bureau co-ordinator Mr Staal Burger.

A warrant of arrest was issued for Harber's co-accused Mr Jan Kleynhans, a private investigator of Krugersdorp, who failed to appear. The case was postponed to February 9. Harber and Kleynhans are charged with *crimen injuria* and malicious damage to property.

—Sowetan Reporters and Sapa.

Sowetan 3/2/93

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Star 4/21/93

Editors reaffirm stance (243)

The Conference of Editors yesterday reaffirmed its commitment to the free flow of information and opinion as essential to an emerging democracy. This principle is undermined by recent actions of political organisations in disrupting newspapers and obstructing news-gathering operations. Criticism of the press is the right of any organisation or individual, and channels exist through the Media Council or editors for the airing of grievances," the conference said

Former Cape Times Editor Sues

A R250 000 defamation action brought by Mr Tony Heard, former Cape Times editor, against Mr Nigel Bruce, editor of the Financial Mail, started in the Supreme Court yesterday.

Mr Heard brought the action against Mr Bruce and Times Media Limited (TML) after he took offence to a leading article published in the Financial Mail (FM) on January 17 last year.

In his particulars of claim, Mr Heard, editor of the Cape

Times from 1971 to 1987 — said he was sacked without adequate, or any, reason being given to the public.

In the January 17 edition of the FM, a leading article appeared under the title "Press Freedom Keeping the Public Interest", which said:

"It takes someone whose somnolent editorship of the Cape Times rivalled Rip van Winkle's nap to wake up with the flawed notion that democratic

elections are impossible here unless existing press ownership is fractured.

"Yet retired Tony Heard, writing in a university journal, wants 'an enlightened reconstruction of the established newspapers' and to give the ANC a 'piece of the action'. If he thinks that nebulous proposition would provide the ANC with the media domination it desires, he is sadly mistaken. Perhaps he just wants a job."

Mr Heard said the statements

and allegations, in the context of the article, represented a serious reflection on his integrity, independence and competence.

On January 24 the Financial Mail published a partial apology which read:

"Former Cape Times editor, Tony Heard believes that the FN treated him less than delicately last week (Leaders January 17) over his views on media ownership. We described him as retired and, therefore, lacking the



IN COURT ...
Nigel Bruce

Financial Mail

insights of a working journalist. "We apologise for this mistaken impression, which we acknowledge is wrong, and regret any distress it may have caused him. He left his editorship for reasons other than retirement and now writes for other publications."

Mr Heard said the article, and the purported apology, imputed that he was dismissed because his editorship was "somnolent" and that he was incompetent.

As a result he was injured in his good name and reputation.

In their plea TML and Mr Bruce admit Mr Heard's sacking was known to the public and that their statements "reflected adversely" on Mr Heard's competence as an editor.

They said the statements, in their context, constituted fair comment upon matters of public interest, namely press freedom and ownership of the press.

SUING ...
Tony Heard

Editors urge end to 'disruption' of press

7218, 07/12/93

THE Conference of Editors yesterday reaffirmed its commitment to the free flow of information and opinion, saying this was essential to an emerging democracy.

In a statement after its meeting in Cape Town, the conference said: "This principle is undermined by recent actions of political organisations in disrupting newspapers and obstructing news-gathering operations."

"Criticism of the press is the right of any organisation or individual, and channels exist through the Media Council or editors for the airing of grievances."

The Conference of Editors also expressed alarm over attacks on journalists covering the taxi protest in Johannesburg this week. — Sapa

Former editor sues for defamation

Staff Reporter

FORMER editor of the Cape Times Mr Anthony Heard is suing his former employers Times Media Limited and the editor of the Financial Mail, Mr Nigel Bruce, for R250 000 for defamation.

The action arises from the publication of a leading article in the Financial Mail in January 1992 which said "It takes someone whose somnambulant editorship of the Cape Times rivalled Rip van Winkle's nap to wake up with the flawed notion that democratic elections are impossible here unless existing press ownership is fractured".

Yet retired Tony Heard, writing in a university journal, wants an enlightened recon-



Mr Tony Heard

struction of the established newspapers' and to give the ANC a piece of the action. If he thinks that nebulous propo-

sition would provide the ANC with the media domination it desires, he is sadly mistaken. Perhaps he just wants a job.

Mr Heard claims the passages represent a "serious reflection on his integrity, independence and competence as an erstwhile editor and as a practising journalist".

He claims the article defamed him as the passages were intended and understood by readers of the Financial Mail to mean he was incapable of doing his job at the Cape Times as he showed a lack of awareness of current issues and his employment as editor was terminated for those reasons.

Mr Heard says a "purported" apology was also defamatory

as it "aggravated" the alleged defamatory statements.

Times Media and Mr Bruce admit the Financial Mail published the article, but deny it defamed Mr Heard.

They admit the statements were to convey, in the opinion of Mr Bruce, that Mr Heard, while editor of the Cape Times, demonstrated insufficient awareness, alertness and responsiveness to current issues and the environment in which the Cape Times operated.

But they maintain the statements constituted fair comment on matters of public interest and were based on substantially true facts.

The Judge President, Mr Justice Friedman, reserved judgment.

243
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Newspapers destroyed in ambush

KING WILLIAM'S TOWN —
Two men claiming to be Apla
members have ambushed a
Daily Dispatch delivery van
and set it alight in the Ciskei

Dispatch news editor An-
drew Austin said the truck
driver, Mr David Hendricks,
was confronted by two men
wearing balaclavas near Berlin
at about 3.45 am while deliver-
ing newspapers. **AKG 4/2/93**

"One man pointed a gun at
Mr Hendricks and another had
an iron bar in his hand. They
forced him to drive towards
Ilitha township. He was
dragged from the van and
forced to put the papers on the
engine," said Mr Austin.

He said Mr Hendricks was
given matches and told to burn
the newspapers. A shot was
fired. Mr Hendricks was then
told to "get lost."

The gunman fired two shots
in his direction as he fled. They
then set the van alight.

"The men yelled, 'Tell your
boss its Apla'," said Mr Austin.

The van and newspapers
were destroyed. As a result of
the attack newspaper deliver-
ies to King William's Town
were delayed.

Free Press 'essential'

THE Conference of Editors has reaffirmed its commitment to the free flow of information and opinion as essential to an emerging democracy

"This principle is undermined by recent actions of political organisations in disrupting newspapers and obstructing news-gathering," it said in a statement after a meeting in Cape Town yesterday. The conference represents all South African newspapers.

"Criticism of the Press is the right of any organisation or individual, and channels exist through the Media Council or editors for airing grievances."

The editors expressed alarm over the attacks on journalists and photographers covering the taxi protest in Johannesburg. — Sapa

01514/2/93

Former Drum editor dies

A former editor-in-chief of Drum magazine and the Golden City Post, Cecil L Eprile (79), has died of a heart attack in California. He worked on several South African newspapers including the Sunday Express, The Star, the Pretoria News, and the Rand Daily Mail, before he was chosen as the first editor of the Golden City Post in 1955.

(243) (EPP) STAR 5/4/93



PUBLISHING

FM 5/2/93

Newspaper tiger

243

With an election in the offing, the ANC is clearly worried that it doesn't have much in the way of sympathetic media support. Whether it will seek to address this problem by establishing its own newspaper or by persuading well-meaning benefactors to back a "democratic publication" is not yet clear. Either way, it or its backers must be prepared for a prolonged struggle and for the possibility that it has over-estimated the power of the press to sway voters.

"Competition is always healthy," says the *Sowetan* editor Aggrey Klaaste. "But this is not a very easy business to go into. They will find the going rather tough." He believes a newspaper owned by the ANC and run as a party political organ would be "not too worrisome" for the *Sowetan* because it would lack credibility.

"They think, for the elections, they will need a newspaper which supports them. This is all very well but it doesn't necessarily mean you will win an election. Political organisations and leaders exaggerate the power of the press."

An interesting indicator of this is *The Citizen*, which has close to 60% black readership despite its pronounced rightwing editorial viewpoint. Other factors, such as its convenient tabloid format and horse racing tipping service, are obviously more important.

Though many newspapers are struggling, there might be a gap for yet another one, provided it is run commercially. But, as the failure of *The Weekly Mail's* daily version proved, publishers need substantial capital and a well-defined market.

"There may be gaps in the marketplace," says Argus CE Doug Band. "It would depend on the targeting." Argus has already offered to make its printing and distribution facilities available to the ANC should it wish to publish a newspaper. "That remains the case," says Band.

Times Media deputy MD Roy Paulson warns, however, that the advertising market won't expand just because a new newspaper has been established. "They might have to enter the market with low advertising rates and they might get some sympathy money for a while," he says. "But revenue diverted to them will come from other publications."

Advertisers are likely to evaluate a new publication simply on its commercial merits. "I am totally opposed to political parties owning any media," says John Sinclair, chairman of ad agency Lindsay Smithers. "But when it comes to placing advertising, our decision is not based on ownership but on the audience that is delivered by the medium."

Grey Advertising media director Paul

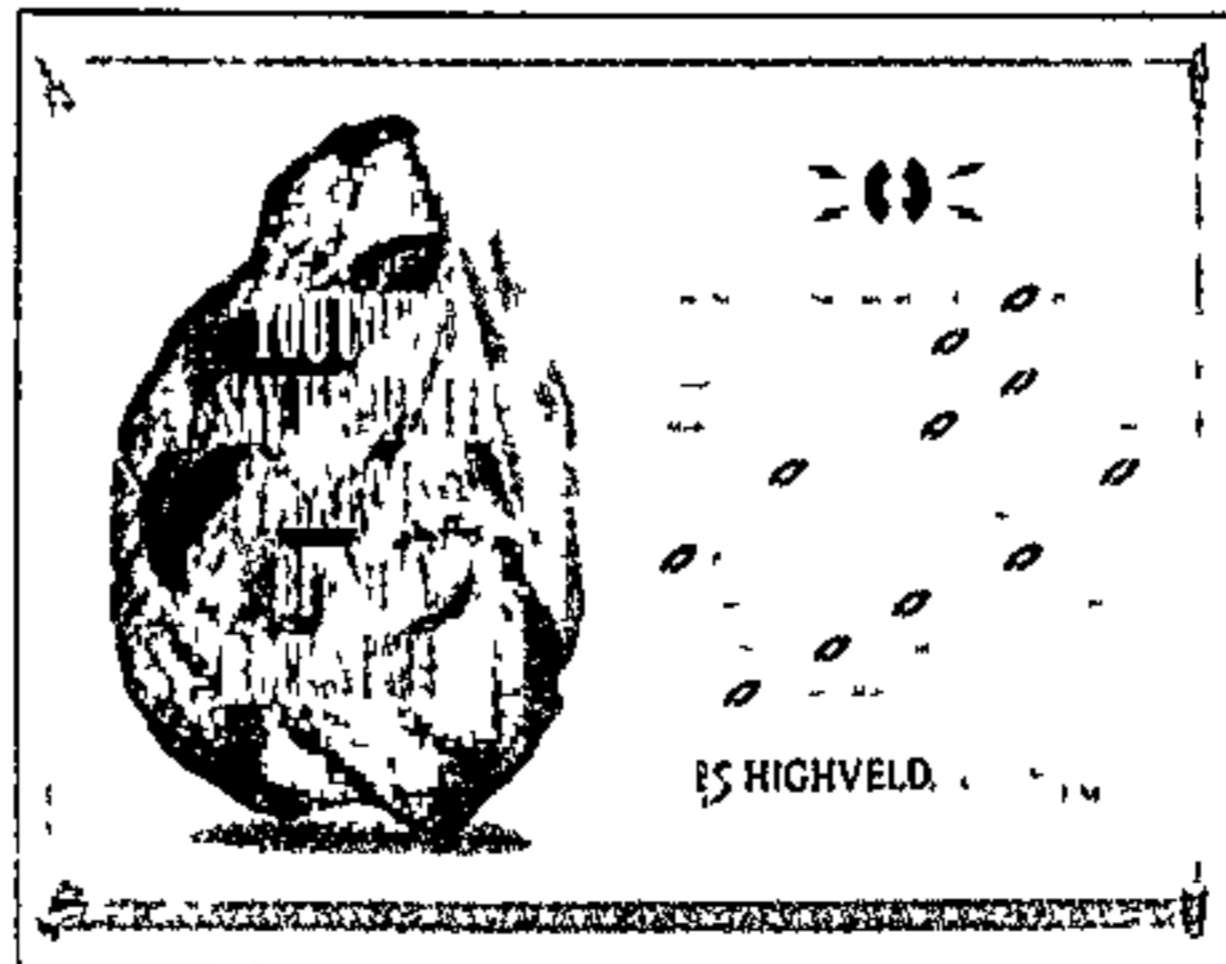
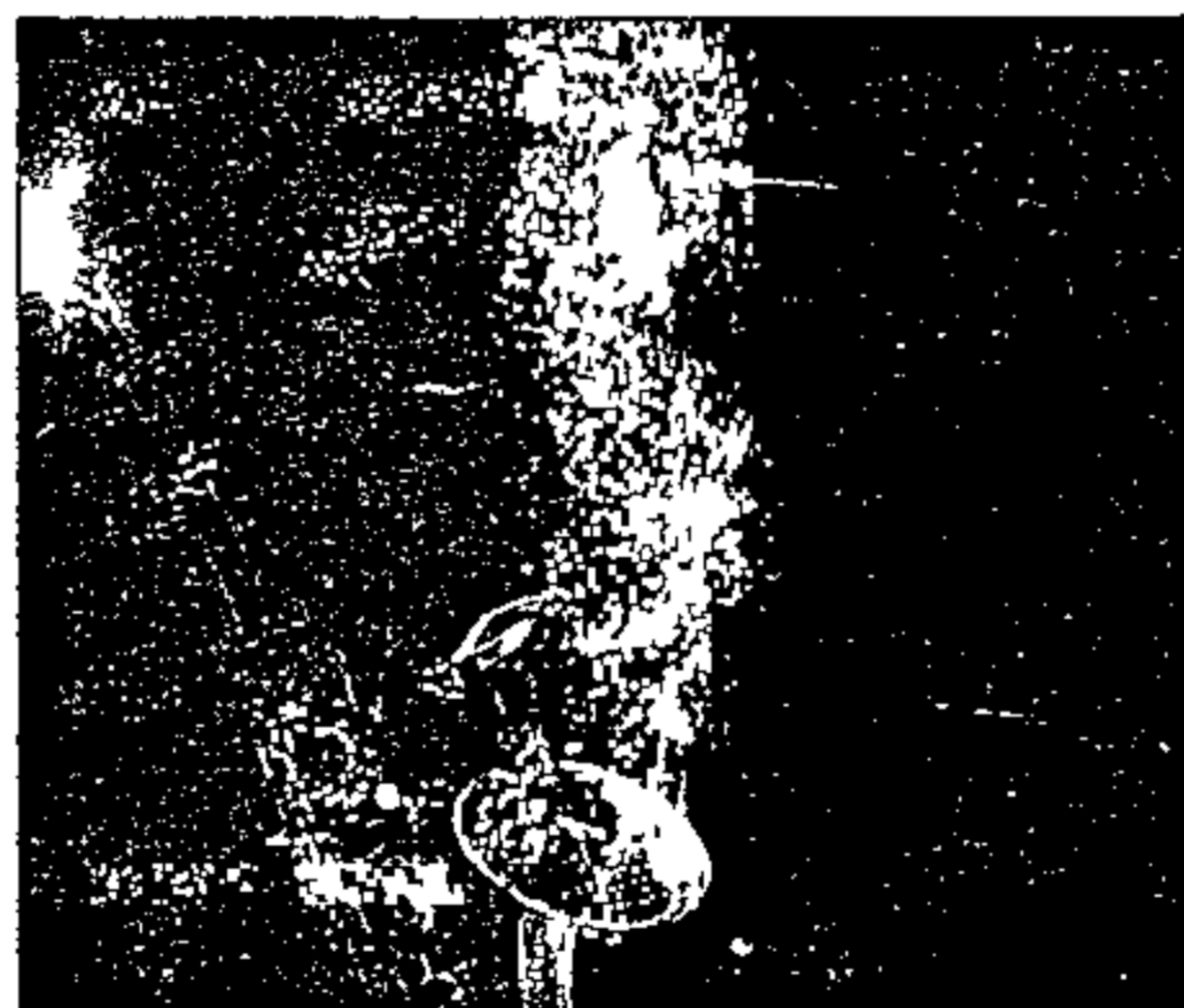
Wilkins points out that the only really strong circulation growth among newspapers is being experienced by black newspapers. "*The Sowetan* and *City Press* are both doing well in terms of circulation and advertising. They provide good access to the target market. Together, for example, their readers make up 50% of the buyers of mealie meal in the PWV area."

Circulation of the *Sowetan* grew by 13% last year and that of the *Sunday City Press* by 25%, while most other newspapers' sales are static or declining. The *Sowetan* has even become profitable. Yet, despite having a bigger circulation, its advertising revenue is less than 20% of that of *The Star*.

But, says Wilkins, advertiser attitudes towards black media are changing. "I agree with the ANC that there is not enough competition in the media. If they do it properly and on business terms, and realise that it takes up to two years to gain acceptance, I think there is room for another black daily. It would create more excitement and pull more money into that market." ■

The smoother option

What makes a radio station successful? According to a survey of listeners conducted by MRA for Radio Highveld in 1988, the three most important attributes were: good reception, high quality sound and "my kind of



Highveld cinema and print ads tuning in a new audience

music"

Unfortunately for Highveld at the time, its association with these characteristics was weak. And its strongest associations were its bilingualism, its Country & Western music, and coverage of horse racing results — none of which was considered important by listeners.

No wonder listenership was in decline. Moreover, its great strength was among old-fashioned, conventional people in the older, less-affluent socio-demographic segment. This was the problem facing Highveld's management, whose task was to relaunch and reposition the station to attract audiences that would appeal to advertisers.

The first job was to improve the station stereo transmissions and a new music format (adult contemporary light) were introduced. The second job was to advertise it. By 1990 the renamed Highveld Stereo was a different station, but neither audience sizes nor advertising revenue had picked up.

Enter the ad agency SBBW was appointed to shift the audience profile towards people with more contemporary and modern interests and concerns — people who also have more money to spend.

In phase one, misconceptions about Highveld were challenged in a provocative way. For example, a headline, "You could say Highveld Stereo is a bit of a rock station," appeared over body copy comprising a playlist of smoother option rock music.

Phase two positioned Highveld's smoother option format relative to the competition. Thus, in a dig at talk radio, "Some of the opinions you'll hear on Highveld Stereo," over body copy featuring song titles that sound like opinions (Phil Collins' "You can't hurry love").

An arty cinema commercial which had audiences spontaneously applauding appeared in this phase.

Phase three, which will be developed this year, will place emphasis on developing "the smoother option" as a brand property. But already there have been good results. In the first year the audience grew by 20%, and recently hit an all-time high of 309 000 white, coloured and Asian listeners on an average day.

The audience profile became more affluent, younger, less Afrikaans. Between September 1991 and September 1992 the number of listeners earning more than R4 000/month rose from 52% to 65%. Advertising revenue for 1991/1992 climbed by 69% over the previous year.

And, points out SBBW MD Elliot Schwartz, the station now delivers to advertisers more A-income listeners than any other radio station.

Tony Koenderman

their colleagues ● Court told of superstition

Taxi operations on hold until Monday

Sowetan 5/2/93

By Lulama Luti

■ TAXI DISPUTE Reef townships to be affected by suspension of taxi operations:

ALL TAXI OPERATIONS ON THE Reef have been suspended until Monday pending the outcome of talks between the parties involved in the taxi dispute.

Areas affected include Soweto, Alexandra, Western, Eldorado Park the East Rand and West Rand.

Taximen decided at a meeting at the Central Methodist Church in Smal Street, Johannesburg, yesterday not to resume their operations

The decision was taken after they had held fruitless talks with the Johannesburg Traffic Department.

Yesterday's meeting followed several incidents this week in which minibus taxis blockaded streets in the Johan-

nesburg city centre. The taximen were protesting against alleged harassment by Johannesburg traffic officers

The meeting took place under heavy police presence. No incidents were reported

ANC representative Mr Obed Bapela said talks with the traffic department would resume on Monday

He said they had also secured another meeting with Transvaal Attorney-General Klaus von Lieres und Wilkau

A report-back meeting would be held later on Monday

Yesterday angry taximen staged sev-

eral walkouts from the meeting, demanding the unconditional release of all impounded vehicles and their arrested colleagues

Bapela said as far as he knew, all 43 people who were arrested since Monday had been released either on R300 bail or on warning. He said of the 209 minibuses which were impounded, 85 were released after an unknown benefactor had paid the fines

Another 66 were reclaimed after their owners had paid R300 fines. Fifty-eight were still being held because the engine numbers had been tampered with

Former editor Heard sues FM

A R2,5 million defamation action brought by former *Cape Times* editor Mr Tony Heard against Mr Nigel Bruce, editor of the *Financial Mail*, has started in the Cape Town Supreme Court.

Heard brought the action against Bruce and Times Media Limited after he took offence to a leading article published in the *Financial Mail* on January

■ Article represented a bad reflection on his integrity:

17 last year.

In his particulars of claim, Heard said he was sacked without adequate, or any, reason being given. In the January 17 edition, a leading article under the title *Press Freedom Keeping the Public Interest*, said: "It takes someone whose

somnambulant editorship of the *Cape Times* rivalled Rip van Winkle's nap to wake up with the flawed notion democratic elections are impossible here unless existing press ownership is fractured" Heard said the statements represented a bad reflection on his integrity

Petrol likely to rise by 7c/l, says Minister

CAPE TOWN — A petrol price increase of about 7c/l — the present rate of under-recovery — was likely to be announced in this year's Budget speech, Mineral and Energy Affairs Minister George Bartlett said yesterday. (244)

He told a media briefing the increase was unavoidable because the continuing under-recovery, compounded by currency fluctuations, put pressure on the Equalisation Fund. BIDAM 5/2/93

It was difficult to predict the exact increase, but it would probably not be as high as the full under-recovery rate.

Bartlett said South Africans paid a

TIM COHEN

lower pump price for petrol than many European countries, because of the effective management of the oil procurement system. He wanted the public to become accustomed to the petrol price rising or falling two or three times a year, in line with fluctuating international prices

Sales of SA strategic oil reserves were continuing, mainly on the local market. Government intended to keep the amount of oil stockpiled secret until the UN oil embargo was lifted, although at least one foreign country was openly selling to SA

● See Page 5

Mail 2:27-3:56
5/2-11/2/93
Doubts
over ANC
newspaper

By NEIDI KRIZ

QUESTIONS have been raised about a reported backer of the African National Congress' publishing project, Nigerian press magnate and multi-millionaire Chief MKO Abiola

London publishing sources said that when Abiola took over the highly regarded London-based *Africa Economic Digest*, he put his son in charge, sacked the staff, and ran it on the cheap. It has never recovered its reputation or its financial stability, the sources said.

Abiola, currently a presidential contender in Nigeria, is also reported to have gone over the head of the editor of one of his Nigerian newspapers. When the Nigerian government closed down the paper for printing a critical report, Abiola, against his editor's wishes, issued a formal apology and retraction. The paper was then allowed to reopen.

This strengthens doubts about whether the daily newspaper which the ANC plans to "facilitate" — with June this year as the reported launch date — can be the independent, democratic organ the movement says it envisages.

Interviewed at Johannesburg's Carlton Hotel this week, Abiola said "All of our publications are independent and free of any political bias." He would not say whether he was committed to the ANC publishing project, nor how much money was involved. "My family is in the publishing business. You can draw your own conclusions," he said.

As this was only his second visit to South Africa, he added, he had not yet determined the commercial viability of such a project.

Lonrho chief Tiny Rowland, reported as another backer, is also a problematic figure. With far-flung business interests in Africa, including South African mining, he is known to have bullied the London paper the *Observer* into editorial policies that supported those interests when he took it over a few years ago.

Casting doubts on the feasibility of

Press magnate ... Chief MKO Abiola is rumoured to be backing the proposed ANC newspaper

the project, Campaign for Open Media spokesman Raymond Louw estimated a daily newspaper would need "the best part of R80-million over five years" to be viable.

Louw said that as far as he understood, financial backing for the newspaper was still uncertain, and no source had yet committed funding.

Times Media Ltd managing director David Kovarsky added that it would be very difficult to find printers who could accommodate a new project. A new printing press would cost more than R20-million, the amount reported as the seed money currently available to the ANC.

Louw doubted the daily envisaged could be truly free and democratic, saying that one of the key architects of the project, Moeletsi Mbeki of the Congress of South African Trade Unions, had other ideas. "Moeletsi is very keen on making it an ANC newspaper," he said.

Joel Netshitenzhe, editor of the ANC magazine, *Mayibuye*, said the

plan was to have an independent editorial board and trust comprised of a number of organisations, including the South African Communist Party, the trade union movement and church organisations. "We want to have a paper that is owned by democratic forces," he said. "The problem (with existing papers) is the concentration of ownership."

Netshitenzhe said the envisaged newspaper would provide a free and democratic alternative to the existing press.

Louw disagreed. "No matter what the intentions are of the people in the DIP (Department of Information and Publicity), the very genesis of the newspaper will give it the aura of being an ANC newspaper."

"To go into the daily field is to make them suspect. One need only look at the Afrikaans newspapers, their information is perceived to be tainted. Political newspapers do not go over well in this country, or any other country."

Is it Rosebud for Citizen Johnny?

W/Mail 5/2-11/2/93

243

AFTER 17 controversial but extraordinarily productive years at the helm of *The Citizen*, Johnny Johnson is up for retirement

That, at least, is the very clear word from within, though officially few are making statements

Perskor chief executive Koos Beytendach said the rumours were "absolutely incorrect"

However, sources in the company say the search has been on for a successor to Johnson for several months

The truth is that the feisty conservative editor turns 70 on March 1 and, according to Perskor policy, that's the final retirement age — though he is expected to stay on for several more months until a successor is found

But finding someone to replace him is proving a little more difficult than many anticipated, as was the case in the late 1980s when the company first tested the waters and found no one willing to bite (in part because the successful applicant would have had to work as Johnson's understudy)

Last year Perskor subsidiary Republican Press advertised for an editor (without specifying that it was for *The Citizen*) with the idea that the successful applicant would take over within a few months. Industry sources say that among the "names which came up" were those of *Sunday Times* deputy editor Richard McNeil, *Financial Mail* political editor Eddie Botha, the SABC's Lester Venter, Rick Wilson (prior to his taking up the *Eastern Province Herald* editorship), former *Vaderland* editor Harald Pakendorf, and Paul Bell, formerly of *Leadership*. Some of those on this list confirmed they had been approached or had made applications. Others said they had not been asked or were not interested

The Citizen's editor is set to retire.

Whoever takes over will make the

paper a little less quirky and a little

more Politically Correct. But Johnny

Johnson's act will be a hard one to

follow. By GAVIN EVANS

Despite these men's abilities, it appears the search is still on. Some say the reason is that those who were canvassed were interviewed by Johnson (and found to be unsuitable)

More to the point is that when Johnson leaves there will be more than one job to fill — because of the phenomenal energy he puts into his job and because of his reluctance to delegate

As one former *Citizen* reporter put it "He's the editor, the deputy editor, the chief sub, the night editor, the sole columnist and just about everything else

"When a job falls vacant, he fills it. He comes in at 10 30am and is still there at 1 30 or 2 00 the next morning, and he does that six days a week, with no holidays, no Sundays and no lunches"

His first brush with the profession came as a 13-year-old copy boy, and there were no deviations. He became deputy editor of *Sunday Times* in 1959 and two years later began a 13-year-spell as editor of *Sunday Express*

But while that paper thrived, his rightwing United Party political views were not in line with those of his South African Associated Newspaper bosses — a factor which may have prompted them to by-pass him for Tertius Myburgh when the plum job of *Sunday*

Times editor came up in 1974 (after which Johnson left in a huff)

Two years later *The Citizen* was launched. The first editor, Martin Spring, lasted less than a fortnight. Enter Citizen Johnny. In late 1978 the Info Scandal broke, and it emerged that *The Citizen* was a government-funded project.

The paper survived. Between "Johnny Jay", a handful of reporters, and reams of Sapa copy, the paper not only came out every day but sold more and more copies.

While it still struggles to attract advertising, *The Citizen* boasts a circulation of nearly 140 000, with two thirds of its readers being black (thanks largely to the *Punters' Friend*, and the attention given to soccer and boxing)

Despite this the paper has remained defiantly rightwing, with its editorials tending towards the "securocrat" wing of the National Party and the Inkatha Freedom Party, and its editorial content giving more play to the Conservative Party than any other paper in the country

Johnson's writings could most generously be described as quirky, less generously as "depraved", as Stephen Robinson called his "Height Street Diary" in an article in *Frontline* (Johnson sued and lost, with the judge finding that "depraved" just about summed it up. True to form, though, *The Citizen* turned the damning judgment into an unabashed full-page splash)

But when Meyer Albert "Johnny" Johnson goes, probably later this year, this peculiar combination of conservative chutzpah, fierce individuality and out-and-out weirdness will disappear from the scene

Heard in the courts this week

w/maail 5/2-11/2/93.

By GAYE DAVIS Cape Town

THERE'S an irony in the R250 000 defamation action former *Cape Times* editor Tony Heard has brought against his former employer, Times Media Limited, and *Financial Mail* editor Nigel Bruce

If argument led by his legal counsel in the Cape Supreme Court this week should win the day, the defence of fair comment — grounds on which an editor might successfully defend himself in such an action — could be narrowed

Heard, now a freelance columnist covering southern African affairs, is suing over an article written by Bruce and published in the *Financial Mail* in January last year.

Bruce's article, Heard contends, intended — and was so understood by *Financial Mail* readers — to mean that he was fired as *Cape Times* editor because he was incapable of doing the job, thereby injuring his good name and reputation

A subsequent apology published by the *Financial Mail*, which acknowledged his leaving his editorship for "reasons other than retirement", aggravated the original injury to his reputation, Heard says

TML and Bruce are defending the action on the basis that the article amounted to fair comment on matters of public interest and that the facts informing the comment were substantially true.

Judgment has been reserved

Paper paid Wit Wolf: Complaint dismissed

JOHANNESBURG. — The SA Media Council has dismissed a complaint by a member of the public against Afrikaans Sunday newspaper Rapport for paying mass-killer Barend Strydom for an exclusive interview on his life.

The council's decision follows a complaint by Mr A J Bothma that the newspaper should not have made payment to Strydom, who in 1988 was found guilty of killing seven black people in central Pretoria.

The council concluded there was no proof that Strydom, by receiving payment for his story, was involved in crime or notorious behaviour. "The moment that is relevant here is the moment payment was made to him," the chairman Professor J C W van Rooyen, said. — Sapa

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CT 8/2/93

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Star 8/2/93

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Media complaint dismissed

The SA Media Council has dismissed a complaint by a member of the public, A J Bothma, against the Sunday newspaper Rapport for paying mass-killer Barend Strydom for an exclusive interview on his life. Strydom was jailed in 1988 for killing seven black people in central Pretoria, and has since been released under an amnesty.

Mother, son die in pile-up

Laura Boshoff (39) and her son Leonard (13) from Cullinan, near Pretoria, were killed instantly and Gunter Praeg (30) and his daughter Ulruhae

Star 8/2/93 (243)

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Star 9/2/93 (243)

Call for greater media diversity

CAPE TOWN — Press freedom not only meant the right of the press to publish what they wanted to, but also the right of individuals and organisations to establish their own newspapers without being regulated by the Government, Independent MP Jan van Eck (Claremont) said yesterday.

Speaking during the second reading debate on the Registration of Newspapers Amendment Bill, he said the mainstream press, with few exceptions, supported the existing minority dispensation and its interests while the majority of South Africans could not depend on any newspaper to promote their interests or allow their organisations to freely state their interests.

If South African newspapers were to repeat their performance during the March 17, 1992 referendum campaign — when virtually all newspapers slavishly supported the "Yes" vote to the virtual exclusion of opponents in the "No" camp — the majority of South Africans "are not going to embrace this as being press freedom".

Van Eck said one of the greatest current threats to press freedom was the lack of political diversity in the media. Eighty percent of existing newspapers supported the National Party slavishly or implicitly and, with few exceptions, most were anti-ANC and did



Jan van Eck . . . lack of political diversity in SA.

everything possible to place the ANC in a bad light.

The South African experience had shown that press freedom and freedom of speech would always be in danger as long as politicians governed countries

Because politicians were always tempted to regulate the press to serve their own narrow political interests, the right to publish freely had to be entrenched in a constitution.

Dr Pieter Mulder (CP Schweizer-Reneke) said the Conservative Party supported press freedom and freedom of speech as pre-requisites for democracy, but also believed there could be no freedom without responsibility.

"The question remains, who will watch over the watchdog?"

He said diversity in the media was the core of democracy and media monopolies had to be countered.

Mulder asked whether the Government would allow the ANC to obtain foreign funding with which to launch a newspaper in South Africa.

Speakers from the National Party, Labour Party and Afrikaner Volksunie also supported the legislation.

Except for one case, the Registration of Newspapers Act had never been used, the Minister of Home Affairs, Louis Pienaar, said yesterday.

Introducing the second reading debate, he said the repeal of the Act was now being proposed, except for one provision relating to films.

Daan van der Merwe (CP Nom) said the Act had been seen by the press as a sword of Damocles hanging over them

The Media Council and the press would have to ask themselves what the position of the press would be if the Government "handed over the country to an ANC government".

Dene Smuts (DP Groote Schuur) said the DP would remain guardians of press freedom in South Africa.

It was ironic that the Daily Dispatch had been targeted by the PAC recently "The Dispatch was, after all, the paper which gave Steve Biko a platform." — Sapa

and they decided to meet for three days mentation.

Heated debate likely on medical aid Bill

ANDREW KRUMM

TODAY'S parliamentary debate over the Medical Schemes Amendment Bill is expected to be acrimonious as parties air their feelings about the provision and cost of health care.

However parliamentary sources expect the Bill to be passed largely unscathed — and with the support of those who regard it with distaste.

DP health spokesman Mike Ellis said yesterday that although his party would prefer to see a revision of the entire health care system, it would support the Bill. *BIDM*

"On its own the Amendment Bill does not solve a thing in the long run" However the medical schemes were in "a mess" and the Bill would ease some problems in the short term.

Ellis said the Bill was crisis management on government's part, in an area which required the attentions of a full commission of inquiry. *9/2/93*

The Bill has been op-

posed by doctors and medical aid societies

Doctors, worried that they would not be paid for services, initially objected to the Bill's proposed removal of automatic payment guarantees by medical aids. The Medical Association of SA called for the resignation of Health Minister Rina Venter

However, a recent concession ended the stand-off when Venter agreed to write the Representative Association of Medical Aid Schemes (Rams) out of the Bill, effectively ending Rams' statutory powers. Its powers curtailed, Rams remains dissatisfied.

Other commentators say the Bill is ineffective if not accompanied by other legislative changes, such as an altered Medical and Dental Act to allow for group practices and the inclusion of pharmacists and nurses.

They say this would complete the levelling of the medical playing fields.

Media 'has important role'

CAPE TOWN — Except for one case, the Registration of Newspapers Act had never been used, Home Affairs Minister Louis Pienaar said yesterday. *(243)*

Introducing the second reading debate on the Registration of Newspapers Amendment Bill, he said the repeal of the Act was now being proposed, except for one provision relating to films. *BIDM 9/2/93*

The media would play an important role in the establishment of a democracy. *(25)*

Jan van Eck (Ind Claremont) said Press freedom not only meant the right of the Press to publish what it wanted, but also the right of individuals and organisations to establish their own newspapers without being regulated by government.

Van Eck said one of the greatest threats to Press freedom was the lack of political diversity in the media. Eighty percent of existing newspapers supported the NP and, with few exceptions, most were anti-ANC and did everything possible to place it in a bad light — Sapa

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Newspaper delivery man threatened

ARG-9/2/93
EAST LONDON. A Mdantsane, Ciskei man delivering Daily Dispatch newspapers was allegedly told his home and vehicle would be fire-bombed if he delivered papers during a strike by the Paper, Printing, Wood and Allied Workers' Union (PPWAWU).

The newspaper's circulation manager, Mr Henry von Dresselt, said the man, who worked for the newspaper on a retainer basis, claimed members of the Daily Dispatch's circulation staff were among those who threatened him.

The managing director of Dispatch Media Ltd, Mr Terry Briceland, said: "Intimidation, taking the form of threats by some strikers against the lives and houses of non-strikers, is despicable.

"But more than that, it moves the strike from being a dispute between two parties into the public arena where the whole of society has to be concerned." — Sapa.

Major newspaper groups eye radio opportunities

SA's major newspaper groups are making cautious preparations to establish their own radio stations which could be launched as early as this year

Establishment of independently owned radio stations would depend on the appointment of a new telecommunications commission which would take control of broadcasting away from government. It is believed this could take place this parliamentary sitting

Sources said all of the newspaper groups were interested, but government was well aware of the problem of cross ownership. All of the major groups already had large stakes in television pay station M-Net.

Beeld reported yesterday that Nasionale Pers (Naspers) was preparing to launch its own radio stations "assuming an independent authority is created to control broadcast matters in SA".

Naspers executive chairman Ton Vosloo said like all other media groups Naspers had taken "a good look" at possible deregulation of radio.

"We have been looking for the past two years, but we are waiting for government", he said.

Commenting on the problem of cross ownership, he said. "We fully expect there to be a limitation on cross holdings, as well

MARCIA KLEIN

as a limit to the number of stations granted licences." (243)

Times Media Ltd MD David Kovarsky said TML was interested in establishing a radio station. While it was waiting for clarity on who would be allowed to get licences, it had appointed an executive "to look at radio aggressively".

Argus CE Doug Band said Argus was not making any decision until there was clarity on the issue.

Industry sources said yesterday applications for radio licences could run into hundreds following the establishment of an independent broadcasting authority. Although research had shown SA had the potential for about 300, it was doubtful all of these could be viable.

They said it was difficult to determine the costs of launching a new radio station. A small community station could cost as little as R50 000, but a larger station would run into millions of rands.

Capital Radio director Peter Chamberlain said yesterday he hoped Capital and Radio 702 would be the first to be given FM licences as they had the infrastructure and listenership base.

CCB bugging: Private investigators in court

JOHANNESBURG. — Four private investigators joined Weekly Mail co-editor Mr Anton Harber in the Johannesburg Regional Court yesterday in connection with the newspaper's surveillance of former CCB co-ordinator Mr Staal Burger last year.

Mr Harber, 33, appeared with Mr Frederick William Britz, 24, Mr Jan Kleynhans, 29, Mr Hermanus Hendrikus Scheepers, 23, and Mr Andries Olivier, 24, on charges of crimen injuria and malicious damage to property. They were warned to appear in court again on February 16.

In September, Mr Burger was granted an interim interdict preventing the newspaper from publishing any information gained by bugging his office. — Sapa

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Star 10/2/93

Private eyes join editor in court (243)

By Cyril Madlala

Four private investigators yesterday joined Weekly Mail co-editor Anton Harber in the Johannesburg Regional Court in connection with the newspaper's surveillance of former Civil Co-operation Bureau co-ordinator Staal Burger last year.

Harber (33) appeared with Frederick Wilham Britz (24) of Witpoortjie and Jan Kleynhans (29), Hermanus Hendrikus Scheepers (23) and Andries Olivier (24), all of Krugersdorp. They are charged with crimen injuria and malicious damage to property.

A warrant for Kleynhans's arrest, issued last week when he failed to appear in court with Harber, was cancelled yesterday.

The case was postponed to February 16.

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Star 10/2/93



**Cosatu 'regrets'
strike intimidation**

ARC 10/2/93
EAST LONDON. — Cosatu said it "regretted" intimidation reported during a strike by distribution workers at the Daily Dispatch **(243)**

Members of the Paper, Printing, Wood and Allied Workers Union have been on strike since yesterday over wages. — Ecna.

Govt may sue paper

CT 13/2/93

Political Staff

THE government yesterday denounced reports of bribery and corruption in the Department of Transport and threatened legal action against a Johannesburg newspaper.

An "angry" Minister of Transport, Dr Piet Welgemoed, said the reports were a serious reflection on his personal integrity and he was consulting legal advisers.

The auditor-general, Mr Henry Kluever, said use of "unproven information" by the Star, after his office had discussed it with the newspaper, reflected negatively on the editorial ethics of the newspaper.

He regretted the publication of the information and added: "Civil action by the affected persons/parties is consequently not excluded."

The newspaper said evidence of corruption, bribery and theft had been uncovered by an official from the auditor-general's office, which could amount to hundreds of millions of rands. It claimed a preliminary investigation questioned the relationship between Dr Welgemoed and Bophuthatswana Transport Holdings, owned by the Bophuthatswana government.

● The Automobile Association called yesterday for a judicial commission of inquiry into alleged corruption in the Transport Department.

Tariffs on toll roads up soon

TARIFFS on toll roads are to be increased from March 1, Transport Minister Dr Piet Welgemoed announced yesterday.

He said some of the increases would be as high as 20%.

The Automobile Association slammed the increases as "inflationary".
Own Correspondent, Sapa

Star 17/12/93

Sunday Star reporters deny link with NIS

Staff Reporters

Inkatha Freedom Party (IFP) leader Chief Mangosuthu Buthelezi last night claimed two Sunday Star reporters colluded with the National Intelligence Service (NIS) to discredit the IFP.

His claims were immediately rejected by the Sunday Star and the two reporters.

Buthelezi insinuated in a statement that reporter Peta Thornycroft was an NIS agent and said her former colleague Jacques Pauw — now working on The Star — worked with the NIS last year to try and prove the IFP smuggled weapons into South Africa from Mozambique.

Pauw and Thornycroft wrote a story last year in which former IFP senior official Bruce

Anderson said in an affidavit that he had frequently smuggled weapons into South Africa for the movement.

Sunday Star editor Dave Hazelhurst said last night he was "amazed" that four months after the story was published, Buthelezi "has suddenly come up with these scurrilous allegations". He would deal fully with the allegations in the Sunday Star this week and would be discussing the matter with lawyers.

He and Pauw immediately said the point was that the allegations of IFP weapons smuggling had not come from any NIS source, but from Anderson, who was part of the IFP delegation at Codesa last year.

Anderson was deported by the Government shortly after the story appeared

In his statement, Buthelezi claimed Mozambique Intelligence "individuals" had told him that "two individuals understood by them to be operatives of South Africa's National Intelligence Service" had visited Maputo in October last year. The South Africans were trying to get the Mozambicans' support for a campaign to discredit the IFP internationally by alleging the IFP had links with Renamo.

Buthelezi said Thornycroft flew to Maputo "accompanied by an intelligence agent from Natal with close links to NIS".

He claimed the unnamed agent was directly controlled by a Major Hentie Botha who had close links with the NIS.

He said Thornycroft's visa to Maputo was organised by the

unnamed agent via a Mozambican intelligence agent called Rousario.

Pauw stayed in "constant contact" with the NIS agent to plan the trip, Buthelezi claimed.

Pauw said there had been nothing clandestine about the story. They had merely done their job of following up allegations made by a very senior IFP official.

Thornycroft, who is currently in Zimbabwe, burst out laughing when she was told of the allegations.

She could produce a receipt for the R85 she had to pay for her visa, she added.

Buthelezi demanded that the Government sack Botha.

Government spokesman Dave Steward said he could not comment.

Editor slates Buthelezi claim

Sowetan 18/2/93

243 145

Lawyers called in over plot to discredit Inkatha:

THE *Sunday Star* yesterday met its lawyers over claims by Inkatha Freedom Party leader Chief Mangosuthu Buthelezi that two of its senior reporters had colluded with the National Intelligence Service to discredit his party.

Scurrilous allegations

Editor Mr Dave Hazelhurst immediately described the allegations as scurrilous.

Buthelezi charged on Tuesday night that reporters Peta Thornycroft and Jacques Pauw had worked with the NIS last year to try to prove that Inkatha had smuggled weapons into South Africa from Mozambique and that Inkatha had links with the rebel Renamo movement.

Pauw, now working for *The Star*

daily, and Thornycroft wrote a report last year which quoted ex-Inkatha senior official Mr Bruce Anderson as saying in an affidavit that he had frequently smuggled weapons into South Africa for the movement.

Hazelhurst and Pauw noted that the report on the alleged Inkatha weapons-smuggling had not come from any NIS source but from Anderson who was part of the Inkatha delegation at Codesa last year.

Anderson was deported shortly after the report was published.

Buthelezi claimed Mozambican intelligence individuals had told him that two South African NIS operatives had visited Maputo last year.

Their aim was to solicit support for a campaign to discredit Inkatha, said Buthelezi - *Sapa*



CIRCULATIONS

FM 19/2/93

Magazines under the whip 243

Magazine circulations have been more badly affected by the depressed economy than have newspapers, as the latest Audit Bureau of Circulation figures show. Among daily newspapers, comparing the second half of 1992 with the same period of 1991, 13 registered gains, while five had losses. In the weekly category, where heavy promotional activity has boosted Sunday newspaper sales, there were six gains and one loss.

But magazine sales were far less healthy. The scores, among weeklies, three gained circulation and six declined; among fortnightlies, two were up and three down, and among monthlies, four were up and 10 down.

The average number of magazine titles purchased by white households is now down to 2,1 a month, compared with 5,1 in 1987, says Nasionale Tydskrifte research and marketing GM Barbara Ross. "Women are tending to make sacrifices in favour of their families, which is why family-orientated magazines like *You* have done well, while many women's magazines have lost ground," she says.

The success of *You* is one reason Nasionale has sold nearly 1m more magazines so far this year than in the same period last year. Ross is bullish about a recovery in the market later this year or early next year with returning consumer confidence.

Among newspapers, the biggest drop has been that of *New Nation*. The loss of 28% in circulation is because of production problems, with the result that deliveries have frequently been missed, says editor Zwelakhe Sisulu.

Originally dependent on foreign funding, *New Nation* is now trying to make its way as a commercial venture. Sisulu says the response of advertisers has been positive and financial pressures on the newspaper have begun to ease.

Another loser has been *Die Transvaler*, the moribund Perskor publication. Among the Sunday papers, the only loss was that of the *Sunday Times*, but the introduction of a circulation-building competition resulted in an immediate surge. *City Press* and the *Sunday Star* have been using competitions aggressively to build sales.

Crackling creativity

Ogilvy & Mather Rightford has been positively crackling with creativity in the last three months, having won almost every Ad of the Month awarded by the Association of Advertising Agencies for November, December and January.

In the November-December awards, O&M won the magazine and radio categories and came second and third in the TV/cinema category (won by Lindsay Smithers). In January, it came first and second in the magazine and TV/cinema categories. No other awards were made for those months.

ies and came second and third in the TV/cinema category (won by Lindsay Smithers). In January, it came first and second in the magazine and TV/cinema categories. No other awards were made for those months.

"Those who feel we have gone off the boil should think again," says O&M Transvaal MD Mike Welsford.

Tony Koenderman

ABC CIRCULATION FIGURES

	Average sales Jul/Dec 92	% change from Jan/Jan 92	% change from Jul/Dec 91
DAILY NEWSPAPERS			
The Argus	105 005	2,8	4,9
Beeld	101 545	1,3	2,0
Die Burger	74 513	0,5	2,6
Business Day	33 177	-1,8	2,1
Cape Times	58 323	-4,7	-1,1
The Citizen	135 234	-3,0	1,2
Daily Dispatch	35 361	3,4	5,3
The Daily News	96 294	2,5	4,1
EP Herald	28 263	-4,0	1,3
Evening Post	18 856	-2,9	-4,0
Ilanga	131 407	4,6	8,9
The Natal Mercury	59 274	-2,2	-2,3
The Natal Witness	27 954	-2,1	1,2
New Nation	58 153	-9,8	-28,1
Pretoria News	24 349	-3,1	0,2
Sowetan	213 897	-4,9	2,5
The Star	206 219	-1,5	0,9
Die Transvaler	38 374	-7,3	-10,1
Die Volksblad	26 946	-2,9	2,4
WEEKLY NEWSPAPERS			
City Press	223 620	40,0	66,4
Rapport	364 647	3,2	2,5
Sunday Star	101 360	14,3	20,7
Sunday Times	510 572	-4,3	-2,1
Sunday Tribune	125 710	1,5	2,3
Weekly Mail	28 393	7,8	18,5
Post Natal	50 750	3,9	5,4
WEEKLY MAGAZINES			
Farmers Weekly	19 064	-6,2	-9,9
Finance Week	15 383	1,3	-8,5
Financial Mail	31 573	-3,1	-2,3
Finansies en Tegniek	18 860	0,9	2,5
Huisgenoot	505 817	-1,7	0,6
Keur	96 750	-11,7	-14,7
Landbouweekblad	55 323	-3,2	-4,9
Personality	92 792	-12,9	-15,7
You	242 436	4,4	15,8
FORTNIGHTLY MAGAZINES			
Fair Lady	149 857	-7,6	-7,1
People	70 785	3,8	-5,1
Rooi Rose	164 776	6,7	14,8
Sarie	219 993	-3,2	-4,9
Scope	152 598	4,9	22,3
MONTHLY MAGAZINES			
Bona	255 989	8,9	0,7
Car	127 395	-6,9	-6,4
Cosmopolitan	111 896	6,2	5,3
Femina	116 096	9,4	7,5
Getaway	63 329	7,5	14,5
Living & Loving	112 457	-0,7	-4,7
Penthouse	64 768	-3,3	-5,7
SA Garden & Home	138 605	7,9	-1,9
Style	45 421	-1,8	-8,7
Thandi	35 697	0,4	-4,8
Tribute	10 537		-24,4
Die Voorligter	121 523	-8,3	-16,9
Woman's Value	146 322	-6,4	-10,8
Your Family	204 823	-2,3	-9,7

Source: Audit Bureau of Circulation

Ex-editor's R¹/₄-m defamation action dismissed

Staff Reporter

A R250 000 defamation suit by former Cape Times editor Mr Tony Heard against his former employers, Times Media Ltd, and the editor of the Financial Mail was dismissed with costs in the Supreme Court today

Mr Heard claimed an article in the Financial Mail in January last year defamed him. Part of it read:

"It takes someone whose somnambulant editorship of the Cape Times rivalled Rip van Winkle's nap to wake up

with the flawed notion that democratic elections are impossible here unless existing Press ownership is fractured

"Yet retired Tony Heard, writing in a university journal, wants an 'enlightened reconstruction of the established newspapers' and to give the ANC 'a piece of the action'. If he thinks that nebulous proposition would provide the ANC with the media domination it desires, he is sadly mistaken. Perhaps he just wants a job."

Mr Heard said the article defamed him as it implied he was unable to do his

job at the Cape Times and his employment with Times Media was terminated for that reason.

Counsel for Times Media argued that the article constituted fair comment on matters of public interest.

The Judge President, Mr Justice Friedman, said there was sufficient "substratum of fact" in the article to form the subject matter of the plea of fair comment.

He therefore dismissed the action with costs. Mr Heard was not in court for the judgment.

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AKA P/12/93

COMPANIES

Circulation rise boosts Dispatch

EAST London-based newspaper publisher, Dispatch Media, increased earnings by 5% to 9,7c (9,2c) a share in the six months to end-December despite pressure on advertising revenues *B10Am*

The company, whose major publication is the Daily Dispatch, reported 14% turnover growth to R14,3m (R12,6m) on the back of improved circulation figures and a higher cover price. *19/2/93*

MD Terry Briceland said according to the latest ABC figures, the Dispatch's circulation growth during the period was second only to Ilanga. Advertising revenues "showed no growth in real terms".

Operating income increased 19% to R2,7m from R2,3m. Briceland said the increase in the margin was due partly to favourable newsprint costs

Net interest received was significantly reduced to R64 000 from R283 000, result-

243 MARCIA KLEIN

ing in an 8% rise in pre-tax income to R2,8m from R2,5m.

Briceland said cash flow was affected by higher bad debts in a weaker economy.

Income after tax increased 6% to R1,4m from R1,3m. It is company policy to declare one dividend a year.

Difficult trading conditions prevailed throughout the first half, and the region in which the company operated was "ravaged" by the effects of the drought, the prolonged recession, unemployment and political uncertainties.

Briceland said the Dispatch expected no improvement in advertising revenues in the second half.

Despite strict controls, costs continued to escalate and it would be difficult to maintain last year's profit level, he said.

Weekly Mail enters broadcasting world

THE Weekly Mail has quietly entered the world of broadcasting, and is talking to the SABC and M-Net about current affairs programmes

Towards the end of last year, the Weekly Mail entered into a joint venture with production company Free Film Makers to form Weekly Mail Television. The company's joint executive producers are Weekly Mail co-editor Anton Harber and Free Film Makers MD Jonathan Miller.

Miller said yesterday the company

(243)  MARCIA KLEIN

would produce a range of documentaries for international and domestic markets

It was talking to the SABC and M-Net about possibilities regarding current affairs programmes and was developing longer, investigative documentaries for British television. It had completed a number of short current affairs programmes for a Dutch television station, which Weekly Mail Television represented in SA.

81009 19/12/93

Financial Mail loses its appeal over Sage

STEPHANE BOTHMA (243)

THE Appellate Division has ruled that public companies have a right to privacy unless cogent, overriding considerations of public interest would permit publication.

The ruling was made when the Appeal Court, in a majority judgment yesterday, found in favour of Sage Holdings in its dispute with the Financial Mail (FM) about the publication of confidential information obtained about the company.

Legal sources said the decision was likely to have far-reaching implications for the publication of information about corporate activity. *BIDAM 19/2/93.*

The court dismissed with costs an appeal by the FM against a 1990 Rand Supreme Court interdict which prohibited the publishing of information obtained from a confidential document and through unlawful telephone tapping.

The urgent interdict against the FM was obtained by Sage chairman Louis Shill after recordings of telephone conversations and a confidential document came into the possession of the FM at a time when speculation about Sage and its relation with the Allied group was rife.

Chief Justice M Corbett, with Judge M E Kumleben and Judge C T Howie concurring, said in a written judgment that although a corporation had "no feelings to outrage or offend", it had a reputation in respect of its business and other activities and it was only proper that it should be

To Page 2

FM appeal *BIDAM 19/2/93.* (243) From Page 1

afforded the usual legal processes for vindicating that reputation.

He said the actual telephone tapping was not the real issue in the case, but whether the FM, having come into possession of taped conversations, was entitled to use information from them in an article.

"In my view there is a public interest in preserving confidentiality in regard to private affairs and in discouraging the leaking of private and confidential information, unlawfully obtained, to the media and others," Corbett said.

The fact that the FM did not make the recordings or instigate their making was beside the point, he said. Public interest in favour of the publication of information obtained by means of an unlawful intrusion would have to be "very cogent indeed".

He was of the opinion that the information in question related to sensitive and confidential information concerning Sage's internal affairs and delicate business negotiations, and no good reasons had been advanced by the FM as to why the public should have been informed about it.

He said the confidential document stood on the same footing as the tapes.

"There was, in my view, no overriding consideration of public interest justifying publication," he said.

The court said it was not necessary to deal with submissions by Sage that some of the allegations in the proposed FM article were defamatory.

About a "publication agreement" reached between Sage and the FM before the interdict was granted, Corbett said the agreement did not preclude Sage from seeking court intervention.

In the minority judgment by Judge H J O van Heerden, with the concurrence of Judge R Goldstone, the view was taken that Sage and Shill should not have been granted an interdict on the basis that publication of the confidential document on its own would have been unlawful.

The application for the initial interdict granted by Judge M Joffe on September 25 1990 was heard in camera, with only the contents of his judgment made public.

Legal sources yesterday described the judgment as "very unfortunate". They pointed out that it was the FM's policy to approach people concerned for comment before an article was published. The effect of the judgment could be that journalists would in future think twice before seeking comment, because this would provide companies with the opportunity to seek a court interdict to prevent publication.

● Comment: Page 4

Defamation action to proceed after

Supreme Court Reporter
THE defamation action by former Cape Times editor Mr Tony Heard against Mr Nigel Bruce, editor of the Financial Mail, and the FM's publishers, Times Media Ltd, is set to continue after a setback yesterday.

An exception brought by Mr Heard to a plea of fair comment by Mr Bruce

and TML in the R1/4 million defamation action was yesterday dismissed with costs by the Supreme Court.

However, Mr Heard's main defamation case will continue.

It arises from the FM's publication in January 1992 of a leading article written by Mr Bruce that read in part: "It takes someone whose somnambulant editorship of the Cape Times

rivalled Rip van Winkle's nap to wake up with the flawed notion that democratic elections are impossible here unless existing press ownership is fractured.

"Yet retired Tony Heard wants an 'enlightened reconstruction of the established newspapers' and to give the ANC a 'piece of the action' if he thinks that nebulous proposition

would provide the ANC with the media domination it desires, he is sadly mistaken. Perhaps he just wants a job."

In their plea of fair comment, Mr Bruce and TML had submitted to the court that the statements objected to by Mr Heard, in the context of the article, constituted fair comment and that the facts on which the comment

was based were substantially true. Mr Heard then filed a notice of exception to this "fair comment" plea and said the "facts" on which the comment was based lacked the necessary foundation.

But Judge President Mr Justice G Friedmann said: "The comment is clearly based on the facts set out in

the article and it was accordingly unnecessary for any further facts to be alleged in the plea."

For these reasons Mr Justice Friedmann said he was dismissing Mr Heard's exception application, with costs.

Mr I G Ferlam SC, with Mr M J Fitzgerald, instructed by Sonnenberg Hoffman and Galombik, appeared for Mr Heard. R Levin SC, and Mr Gilbert Marcus, instructed by Bell Dower and Hall, appeared for Mr Bruce and TML.

Court setback 243

KEN OWEN: *There is a whole prejudiced fog in his otherwise*

spot-on writing, but what he leaves out is often instructive

The intolerant liberal

LIKE him or not, Ken Owen really can write. His prose sometimes reaches a purple intensity that is quite overwhelming.

Two articles in his recently published book *These Times* one after Owen's first meeting with ANC exiles in 1989 and the other on the white Right before our 1992 referendum, rank with some of the best writing on South Africa I have read.

The book is a collection of 155 of his political columns published between June 1980 and October 1992 in the three newspapers Owen worked for during that period — the *Sunday Express*, *Business Day* and the *Sunday Times*.

He also gets a number of issues right. He is right in his scathing analysis of the National Party and its apartheid project, a project he abhors, he paints P W Botha as *Il Duce* the Bullyboy with flair; he saw the 1983 constitution for what it was a fatally flawed charade to disguise continued NP domination, and he hacks back good people who have developed blindspots, those who can see no wrong in some politicians and no right in others, despite, often, clear evidence of bad behaviour from good boys. In all of this he is exciting, colourful and lively — a good read.

My problems begin with his selectivity. He covers the elections and referendums of white politics with heat and light.

But it is what he leaves out that is instructive.

He devotes no space to many of the most significant events of the decade he writes about: the formation of, rise of and banning of the UDF, the growth in size and reputation of the ANC in exile, the allied and highly successful coordination and growth of sanctions campaigns against apartheid.

Nor is any space devoted to the razing of Crossroads and Langa, the destabilisation of Angola and Mozambique, the counter-revolutionary war against the UDF, the End Conscription Campaign and other opponents of the National Party's projects.

Readers interested in the Bisho massacre are rewarded with two lines — both, of course blaming the ANC for getting shot up.

This selectivity is just part of the whole conservative, prejudiced fog that Owen develops around South Africa's politics. This is ironic, considering he is arguably South Africa's most ardently self-proclaimed liberal. But what is the basis of this "liberalism"?

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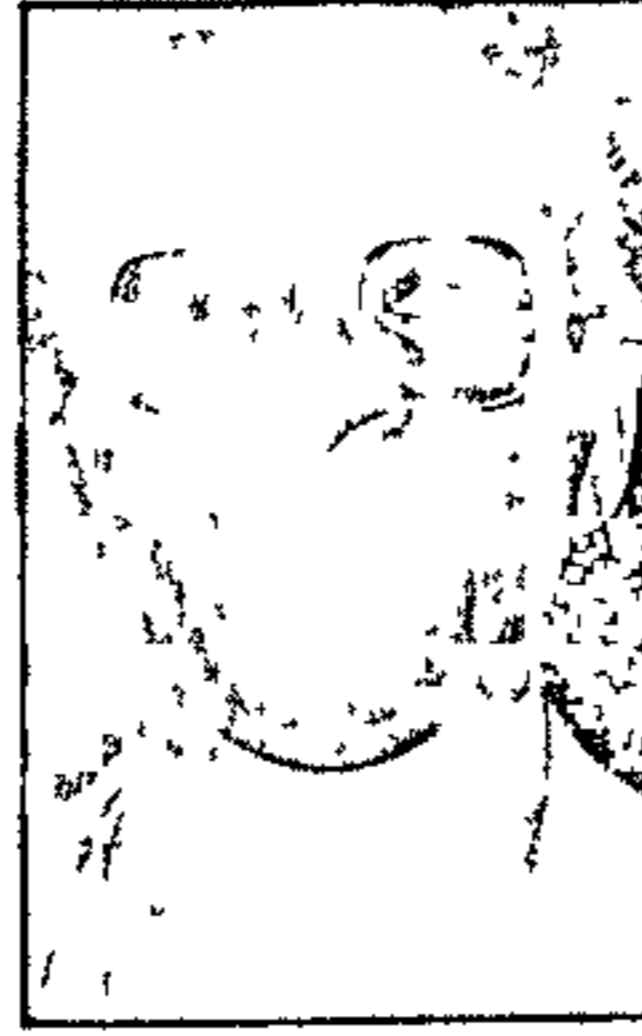
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HIS liberalism is generally uninformed by contemporary debate and greatly informed by the past. A few examples of this.

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● "Apartheid will be truly dead" when the Population Registration Act goes. In 1987, the NP is seen as having "abandoned apartheid" and, by 1990, it's seen to be extolling "all the values and principles which liberals, in the main, have urged in this country for so many



HE WRITES WITH A PURPLE INTENSITY, BUT IS HE RIGHT? "Ken Owen's liberalism is old-fashioned and conservative and his conception of rights is old-fashioned and hackneyed," says the author of this article

These are the writings of a conservative man, with few friends and with millions of Reds under-the-bed enemies, many of whom are subject to invective of the most elaborate type.

Take the case of Owen vs the Archbishop. There are 14 references to Desmond Tutu — divided between attacks on Tutu for supporting sanctions and attacks on Tutu for an apparently ambivalent attitude to violence.

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● "The language of violence rolls so smoothly off his tongue, as though he savours the words. Somehow he seems to be saying more than he says."

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OWEN WROTE of that event thus: "Dr Slabbert has now joined the extra-parliamentary forces who are understandably jubilant that, by throwing up his hands in despair, he has supported their claim that Parliament is powerless to change our society."

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Compare this approach to that of the person I (and Owen) agree is South Africa's finest intellectual liberal, Charles Simkins. In his book *The Prisoners of Tradition*, he looks at the whole Freedom Charter and not just the clauses that inspire Owen's vitriol. He divides the substantive clauses of the Charter into the following groups:

● Demands for equal political participation

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In Simkins's reading of the Freedom Charter, he concludes that "the first five groups of demands are entirely compatible with the principles of justice", and adds that "the sixth demand — interestingly — accommodates the demands of Afrikaner nationalism."

Only the seventh group — property rights — "does not satisfy the principle of justice", but Simkins concludes:

"This does not imply property rights do not need changes, but the argument about what these changes should be needs reconsideration."

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KEN OWEN: *There is a whole prejudiced fog in his otherwise spot-on writing, but what he leaves out is often instructive*

The intolerant liberal

LIKE him or not, Ken Owen really can write. His prose sometimes reaches a purple intensity that is quite overwhelming. Two articles in his recently published book *These Times*, one after Owen's first meeting with ANC exiles in 1979 and the other on the white Right before our 1992 referendum, rank with some of the best writing on South Africa I have read.

The book is a collection of 155 of his political columns published between June 1980 and October 1992 in the three newspapers Owen worked for during that period — the Sunday Express, Business Day and the Sunday Times.

He also gets a number of issues right. He is right in his scathing analysis of the National Party and its apartheid project, a project he abhors, he paints P.W. Botha as *Il Duce* the Bullyboy with flair; he saw the 1983 constitution for what it was a fatally flawed charade to disguise continued NP domination, and he hacks back good people who have developed blindspots, those who can see no wrong in some politicians and no right in others, despite, often, clear evidence of bad behaviour from good boys. In all of this he is exciting, colourful and lively — a good read.

My problems begin with his selectivity. He covers the elections and referendums of white politics with heat and light.

But it is what he leaves out that is instructive.

He devotes no space to many of the most significant events of the decade he writes about, the formation of, rise of and banning of the UDF; the growth in size and reputation of the ANC in exile, the allied and highly successful co-ordination and growth of sanctions campaigns against apartheid.

Nor is any space devoted to the razing of Crossroads and Langa, the destabilisation of Angola and Mozambique, the counter-revolutionary war against the UDF, the End Conscription Campaign and other opponents of the National Party's projects.

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5, February 21 1993 3

SACP in Sunday Times letter riddle

Sunday Times 21/2/93
Sunday Times Reporter

THE SA Communist Party has intercepted a private letter from the Sunday Times to its correspondent in Moscow requesting that he research the history of the SACP's relationship with the Soviet Communist Party. It is not known whether the letter was intercepted in South Africa or in Moscow.

An SACP spokesman confirmed this week that the party had a copy of a letter which deputy editor Brian Pottinger faxed to Izvestia correspondent Boris Piliatskin in Moscow in March last year, requesting him to search the newly opened KGB archives for information

He was also requested to verify reports on links between the Kremlin and possibly still underground members of the SACP in South Africa

Furious

Material from the archives was later used in a series of articles by Piliatskin in the Sunday Times — including the first full reports of the execution of dissident SA communists by Stalin in the 1930s

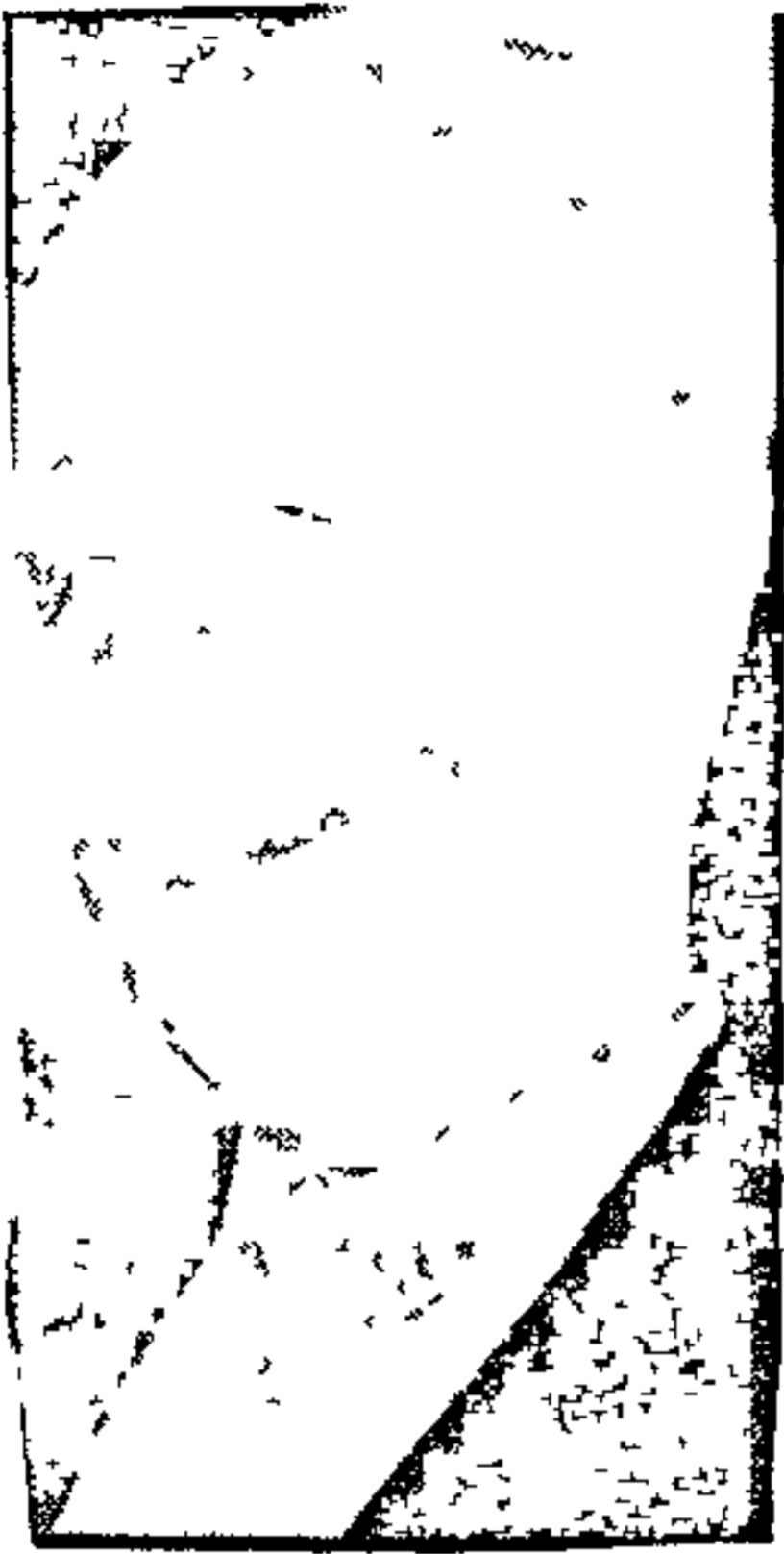
It is not known how the private letter fell into the hands of the SACP

Piliatskin said this week he is furious.

"The SACP is full of KGB members. They act like the KGB," he said, although insisting that the correspondence could not have been leaked from Moscow.

He did not believe that old guard communists had lifted the letter and fed it to SA communists

SACP spokesman Essop Pahad yesterday confirmed the party had the letter, but declined to comment.



Landmark ruling has spawned a new tool for censorship

DAVID HOFFE reviews the controversial Appeal Court decision to extend the privacy of companies and warns that a monster has been created

STimes 21/2/93

IN A series of defamation cases over the last decade, culminating in a decision handed down this week, the Appellate Division has severely curtailed the free flow of information in this country.

It started in 1982 in the case of Pakendorf versus De Flamingh — a battle between the press and a private person. The courts came to the aid of the latter in no uncertain terms by determining that the press was strictly liable for what it wrote.

This means an individual can publish a defamatory statement about somebody else to any number of people, and escape liability if he has good grounds for doing so. He must also believe the truth of his assertions, and that it is important for others to know about them.

A newspaper, on the other hand, must guarantee the truth of its claims. For example, claims made on the basis of an impeccable and reliable source who later retracts would render the newspaper liable for damages.

There is a principle of law that affords some measure of protection to the press; some revelations are of such great moment that even the press need not guarantee their veracity.

The disclosures by Dirk Coetzee, published in the Vrye Weekblad, concerning hit squads and General Lothar Neethling, were found by Mr Justice Kriegler to fall into this category. This case is on appeal, and it remains to be seen whether our highest court endorses this principle. However, its application is fraught with difficulty: for how does one determine where the line is to be drawn?

An issue of public interest, that unruliest of horses, is, after all, merely a matter of opinion.

In 1992, our Appeal Court ruled that "political bodies" are capable of being defamed and can legitimately bring actions for defamation. A political

CHIEF JUSTICE CORBETT

body is wider in concept than a political party, and includes, in addition to a political party, any body or organisation whose functions include attempting to influence state policies in any field — for example, nature conservation, economy or sport (these were examples given by the court)

So, leaving aside for the moment the ANC or the National Party, criticism of organisations as disparate as the Afrikaner Weerstandbeweging and the Campaign for Open Media can conceivably attract an action for damages, or worse, an injunction against publication

Take a simple enough assertion, such as "The CP is a racist organisation". Irrespective of whether this is an expression of opinion or a statement of fact, it seems bizarre that it could ever be the subject of a debate before our courts

This week, in the case of Sage Holdings Ltd v the Financial Mail, the Appellate Division, in a majority judgment delivered by Chief Justice Corbett, ruled that juristic persons — Masterbond, Supreme Holdings, Tollgate, the ANC, the SABC, Eskom, the AWB, the Broederbond, etc — have a right to privacy.

It was the traditionally-held legal view that only natural persons — the Charleses and Dianas of the world — had a right to privacy, because it was only someone with a body and a soul who could suffer the feelings of hurt and degradation that follow the invasion of his or her privacy.

A corporation, lacking a body to be kicked and a soul to be damned, could suffer no such feelings. Notwithstanding this, the court accorded a right of privacy to corporations, and, in so doing, created a somewhat curious species, namely the private fact about a public corporation.

The effect of the judgment is that, without consent and in the absence of overriding considerations of public interest, the publication of private facts about a public corporation is an invasion of that corporation's privacy, and can be interdicted at the suit of that corporation.

WHAT constitutes "private facts" — particularly in the case of corporate activity — is, of course, anybody's guess. But one can bet that the chief executive of a public corporation, such as Masterbond, will immediately cry "private facts" and take refuge behind Sage v FM when confronted with awkward and disquieting facts contained in a confidential memorandum leaked to the press.

A plea by the press of overriding public interest will be difficult to sustain. Where private information about a corporation is obtained under such circumstances, considerations of public interest permitting publication would, in the words of the Chief Justice, be a "rara avis". The public interest in favour of publication would, again in the words of the Chief Justice, "have to be very cogent indeed". A very difficult hurdle to cross. The financial affairs of Sage, a public corporation, are apparently not the sort of rare bird the Chief Justice had in mind.

An unfortunate consequence of this decision is that journalists in possession of private facts about public corporations will no longer seek comment before publication, for fear of having FM v Sage thrown at them. Unwittingly, I believe, the court has spawned a monster.

The injunction and the gagging writ could effectively replace the cruder forms of harassment that journalists have learned to live with. By filing suits, corporations and political bodies can stifle legitimate debate about their activities.

■ David Hoffe is co-author of the *Newspaperman's Guide to the Law*

Court frowns on breach of privacy

STAR 22/2/93

By Jo-Anne Collinge

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The Appeal Court has ruled that only when there is an "overriding" public interest in a matter may a newspaper or magazine be permitted to publish information which has been obtained by means of invasion of privacy.

The judgment was given recently in the appeal by Financial Mail (Pty) Ltd against an interdict granted to Sage Holdings (Pty) Ltd in the Rand Supreme Court in 1990, which prohibited the publication of an article concerning Sage Chief Justice M Corbett, in a majority judgment, dismissed the appeal and awarded costs against the Financial Mail.

The disputed article was based largely on tape recordings obtained by the tapping of a Sage telephone line and from a confidential document concerning Sage, drawn up within the Allied Group Ltd. A Financial Mail journalist gained possession of both the illicit tapes and the document.

Mr Justice Corbett, with Mr Justice M E Kumleben and Mr Justice C T Howie concurring, found that a public company, no less than an individual, could suffer injury by virtue of a breach of privacy.

But not all such intrusions or publications were unlawful, the judges observed. In distinguishing between lawfulness and unlawfulness in this field, the court had to view the facts of the case in the light of the "general sense of justice in the community" and to weigh competing interests.

If the nature of the informa-

tion obtained by invasion of privacy were such "that there were overriding grounds in favour of the public being informed thereof, the court would conclude that publication of the information should be permitted, despite its source and the manner in which it was obtained".

To illustrate such "overriding" public interest, the judges cited a British case concerning two technicians who left the employ of a company which made "intoximeters", instruments used by the police to measure alcohol intoxication. They supplied a national newspaper with documents showing that there were doubts about the accuracy of the intoximeter.

A British appeal court ruled that the information, though unlawfully obtained "in flagrant breach of confidence", could be published because the public had a real interest in the accuracy of an instrument on which drunk-driving convictions rested.

The Financial Mail, in contrast to the above case, had advanced no good reason as to why the public should have the information contained in the Sage article, the judges stated.

The preservation of confidentiality within organisations was also a public interest of a high order, the judges reasoned. "I am old-fashioned enough to think that loyalty is a virtue that is in the public interest to encourage," said the Chief Justice.

He held that the illicit tape-recordings and the "leaked" confidential document prepared by Allied "stood on the same footing". It must have been clear to the journalist that his possession of this document was unlawful.

Ex-editor to proceed with defamation case

16/10/93 22/2/93 (243)

RAY HARTLEY

FORMER Cape Times editor Tony Heard said yesterday he would proceed with his defamation case against the Financial Mail "with all due speed" at a date to be set down by the court.

This follows the Cape Supreme Court's decision on Friday to dismiss with costs Heard's application challenging the right of Financial Mail editor Nigel Bruce to use "fair comment" as a defence in a defamation case brought by Heard.

Heard said the application had nothing to do with the merits of his defamation action. His defence had argued that they took exception to allegedly defamatory remarks made by Bruce in a Financial Mail article because they were not accompanied by sufficient factual information.

Judge G Friedman ruled "In my judgment there is a sufficient substratum of fact contained in the article to form the subject matter of the plea of fair comment."

Bruce, who was first respondent, with Times Media Ltd as second respondent, had written that Heard "clearly lacks the insights of a working newspaperman".

"It takes someone whose somnambulant editorship of the Cape Times rivalled Rip van Winkle's nap to wake up with the flawed notion that democratic elections are impossible here unless existing press ownership is fractured.

"Yet retired Tony Heard, writing in a university journal, wants 'an enlightened reconstruction of the established newspapers' and to give the ANC a 'piece of the action'. If he thinks that nebulous proposition would provide the ANC with the media domination it desires, he is sadly mistaken. Perhaps he just wants a job."

Heard's defence had submitted that the statements "represent a serious reflection upon the plaintiff's integrity, independence and competence as an erstwhile editor and as a practising journalist and are wrongful and defamatory of (the) plaintiff".

Heard's costs would be partially funded by the Media Defence Trust, a trust representative said, adding that the trust's executive committee fully supported the contract agreeing to do so.

or will be made to accommodate candidates who need these certificates, if so, what arrangements,

(4) whether he will make a statement on the matter? B127E

†THE MINISTER OF NATIONAL EDUCATION

(1) Yes As from 4 September 1992 the Senior Certificate is issued only by the South African Certification Council (SAFCERT) to all learners in the Republic of South Africa who comply with the prescribed requirements

(2) No The certificates are issued per examining body, as the necessary information is received from the examining bodies. The deadline for the provision of this information is 28 February 1993. A start will then be made with the issuing of the certificates and it is envisaged that this task will be completed by the end of May 1993. This is also the date on which this task was completed in the past

(3) No In the meantime, however, candidates may use the statements of examination results which they have already received from their respective examining bodies, in cases where they may require certificates

(4) No

*4 Mr D J Dalling—Correctional Services [Question standing over]

HSRC publications in Afrikaans

*5 Mr P H DE LA REY asked the Minister of National Education †

(1) Whether the publication "In Focus of January 1993 and the pamphlet "Regional Powers in a new Constitution", No 4 of 1992 published by the Human Sciences Research Council (HSRC), appeared in English only, if not, what are the relevant details, if so, why,

(2) whether the HSRC issues any other publications that appear in English only, if so why,

(3) whether he or his Department will take steps to ensure that Afrikaans receives equal treatment in this regard? B132E

HOUSE OF ASSEMBLY

†THE MINISTER OF NATIONAL EDUCATION

(1) Yes The publication "RGN/HSRC in Focus" is an external newsletter of the HSRC which appears ten times a year. The newsletter attempts to convey information on recent HSRC research in a popular-scientific manner. Articles are usually written in the language in which the research report concerned was originally written. The result is that the language proportion varies from one issue to the next.

The January 1993 issue of "In Focus" was published in English only. This was done so that it could be included and distributed as a special marketing supplement in three English magazines (*Finance Week*, *Enterprise* and *IMP Journal*). It is possible that the HSRC could do this in Afrikaans on another occasion. "In Focus" would then be published in Afrikaans only.

The pamphlet "Regional Powers in a new Constitution" No 4 of 1992, is a newsletter of the HSRC's Centre for Constitutional Analysis. The newsletter deals mainly with HSRC research in this field. It appears in English only so that those in our country who are not proficient in Afrikaans but are closely involved in the discussions on the constitutional future of South Africa may have first-hand access to research in this very topical field. The cost implication of publishing the newsletter in Afrikaans too is an important consideration in its being published only in English at this stage.

(2) Yes "Africa 2001" is a journal that reports exclusively on conferences relating to Africa. Both the editions that have appeared so far were published in English only because the conferences concerned had been exclusively in English. The journal is also distributed in other parts of Africa. "Information Update" is a syndicated news journal that is distributed to subscribers only. The journal contains strategic information on HSRC surveys on socio-political and economic matters in

particular. It is actively marketed in foreign countries. It is mainly for this reason and for business considerations that the journal appears only in English.

(3) The Department does not have such a jurisdiction regarding the HSRC, it is the responsibility of the Council of the HSRC to formulate its language and publication policy. I shall naturally bring the hon member's questions to the attention of the chairman of the Council of the HSRC. I shall also discuss the HSRC's language and publication policy with him.

Virginia/Odendaalsrus: closure of hospitals

*6 Mr J M BEYERS asked the Minister of National Health †

(1) Whether her Department or the Provincial Administration of the Orange Free State is considering or has considered closing the provincial hospitals in Virginia and Odendaalsrus, if so, why, in each case,

(2) whether steps have been taken or are being taken in respect of the closing down of these hospitals, if so, what steps,

(3) whether she will make a statement on the matter? B159E

THE MINISTER OF NATIONAL HEALTH

(1) No,
(2) no,
(3) no

Local authorities: investments

*7 Mr J M BEYERS asked the Minister of Finance †

(1) Whether local authorities are prohibited from making investments in insurance concerns, if so, (a) why and (b) in terms of what statutory or other provisions,

(2) whether his Department intends lifting this prohibition, if not, why not, if so, when,

(3) whether local authorities have been informed of this intention, if not, why not, if so, when,

(4) whether he will make a statement on the matter? B160E

†THE DEPUTY MINISTER OF FINANCE (Dr T G Alant)

(1) Yes, during 1989 a ban was placed on investments with insurance concerns by Ministers concerned with public funds of statutory bodies and by Administrators with regard to local governments at the request of my predecessor

(a) Some insurance companies utilised the tax benefits received together with the non-taxability of certain government bodies in particular to compete with other financial institutions in order to offer guaranteed earnings on investments. The perception that an unequal playing field existed has been confirmed by the Margo Commission as evidence by the finding that the tax dispensation applicable to long term insurers has been a contributing factor to savings being channelled to these institutions which negatively influenced equal competition in financial markets. This matter has been investigated by the Special Economic Advisor of the Minister of Finance, Dr A S Jacobs, as a part of the investigation into the promotion of equal competition for funds in financial markets. The ban was introduced pending the result of this investigation.

(b) The request by the former Minister of Finance that statutory funds (funds of local governments included) may not be invested with long term insurers until further notice, was made after discussion in the Cabinet. The legal authorisation for such a ban, in the case of local authorities, is based on the authority to determine by Ordinance where public funds may be invested by the concerned authorities. The relevant Ordinances of the Cape Province, Natal, Transvaal and Free State are prescriptive regarding the type of investments that may be made by local authorities. Investments with insurance companies are currently excluded.

HOUSE OF ASSEMBLY

General's legal fees cost govt R688 000

By BARRY STREEK
Political Staff

THE government has now paid out R688 319 in legal costs for Lieutenant-General Lothar Neethling in his defamation actions against Vrye Weekblad and Weekly Mail.

General Neethling has yet to pay for any of these costs himself.

The Minister of Law and Order, Mr Hernus Kriel, said yesterday the total amount paid by the state for General Neethling's legal costs was R688 319,91 by February 18 this year.

Mr Kriel, who was replying to a question tabled in Parliament by Mr David Dalling (ANC, Sandton),

said it could only be determined after the judgment of the Appeal Court whether General Neethling had forfeited state protection in terms of Treasury instructions.

If he had forfeited state protection, he would have to repay a portion of these costs.

General Neethling, the former head of police forensics, sued the

two newspapers for defamation after former policeman Captain Dirk Coetzee claimed the general had supplied poison for killing detainees.

He lost his case and then had an appeal rejected, after which he appealed to the Appeal Court, which still has to deliver judgment.

Mr Dalling said the National

Party government was spending taxpayers' money to promote General Neethling's civil action. "This is yet another huge abuse of public funds, constituting yet another form of state corruption."

"To favour one NP-supporting general in this way is to take the NP gray train to the verge of the ridiculous," Mr Dalling said.

CT 25/2/93

1143



Speak up for a free press

CARMEL RICKARD argues that a Cape defamation case highlights the media's vulnerability to more court curbs

STimes
15/12/93

AFTER several stunning knockouts, press freedom has at last won a round. Cape Judge President Gerald Friedman has turned down a preliminary argument by former Cape Times editor Tony Heard in his defamation battle against Times Media Limited and Financial Mail editor Nigel Bruce.

Mr Heard's case against his former colleagues came after a scathing FM editorial last January, questioning his competence as an editor. This was followed by a biting "apology", and Mr Heard is now claiming R250 000 in defamation damages.

The FM admits its article "reflects adversely" on Mr Heard's editorial competence, and that the piece was intended to mean he showed "insufficient awareness, alertness and responsiveness to current issues".

However, TML and the FM argue these remarks are fair comment, and that the facts on which they were based were substantially true.

Before argument in the main case, Mr Heard asked the court to consider a technical legal point whether TML and the FM could use the defence of fair comment to justify their criticism. He argued that while the

FM claimed the facts on which the editorial was based were substantially true, there were no "facts" in contentious articles about him. Therefore, the defence should not be allowed.

The judge reviewed the circumstances under which a defence of "fair comment" could be raised, and said that normally the law required that the facts involved be contained or clearly indicated in the alleged defamatory material.

However, he accepted the ruling in several leading cases that under some circumstances, the facts need not be present in the material as long as the public can obtain the information without difficulty.

As an example, he took an author who published a literary work, thus inviting public comment. In such a case, "the facts" would consist of the literary work itself, "where the subject matter on which comment is made is available to the world at large".

The judge said the subject matter on which the comment was made in the Heard case could be found in the Cape Times, "the back numbers of which are available to any members of the public who wish to refer to them". The judge stressed that the

trial court, and not he, should decide whether "the average reasonable reader" would believe the criticism of Mr Heard's editorship to be justifiable or not.

His task was merely to rule on whether there were enough "facts" in the material to allow TML to raise a "fair comment" defence.

After discussing the contents of the FM editorial, he decided last week that there was a "sufficient substratum of fact" for the case to go ahead and for the trial court to consider the FM's "fair comment" defence.

Although the case is far from over, the Friedman judgment comes as a welcome break for the media after a series of court decisions curtailing press freedom.

Two in particular raise concern that political parties, companies and other juristic persons can be defamed, and that they have a right to privacy.

Sections of the South African media enjoy an international reputation for robust comment and criticism, even if reporting of and access to fact have been controlled by draconian legislation.

Ironically, now that these laws are scrapped, eased or no longer implemented, the

courts, instead of Parliament, set curbs on comment and criticism.

Even more ironically, the exception to TML's "fair comment" defence was raised by a former editor with a justifiable reputation for commitment to freedom of the press.

Had he won this round, it would have been more than simply a technical knockout to Mr Heard. The press would have been the loser, with the courts tightening up on the use of the "fair comment" defence.

These restrictions could be permanent even a new bill of rights with strong guarantees of press freedom will not automatically lift court-imposed curbs. They must first be re-examined by the judiciary against the content of a bill, which makes strong and clear guarantees crucial.

But don't look for free press allies in government, political parties and business, which are all happy if the courts veil their affairs from open scrutiny.

That leaves only the media and the public. Their challenge is to speak up now and lobby the bill-makers if court clamps on press freedom are to wither under a new constitution.

243

Northsider STAR 25/2/93, newspaper shuts down

By Michael Sparks (243)

The weekly Northsider newspaper closed yesterday after operating for less than a year.

A statement from Caxton general manager Bruce Sturgeon said the newspaper was closing down for economic reasons.

The newspaper was one of the few Caxton publications that was sold. Most are "knock and drops" that rely solely on advertising revenue for their financial well-being.

Sturgeon said there were no audited figures on the circulation of the newspaper, which was aimed at the affluent northern suburbs of Johannesburg.

But it is understood that the publication never achieved sales of more than 4 000.

An industry source said one reason the newspaper had failed was that it was competing in a market that was already well-served.

Readers were already served by The Star on a daily basis and the Weekly Mail on a weekly basis. Yet the Northsider was trying to attract the same type of reader, he said.

Court's privacy ruling 'constrains media'

BLDAM 25/2/93

243

MATTHEW CURTIN

THE recent Appeal Court decision that public companies had a right to privacy unless overriding considerations of public interest permitted publication left journalists little room to manoeuvre, Harmful Business Practices Committee chairman Prof Louise Tager said yesterday

"This is very narrow ground. Remember, the public has a right to know. The public relies on a free and unfettered Press as one of the cornerstones of a democratic society. It is an essential tool for public protection," she said.

Tager was addressing business and me-

dia representatives at the prize-giving in Sandton for the Syfrets Award for consistent excellence in business journalism, a competition she helped judge

The decision in the Financial Mail versus Sage Holdings case was a far-reaching one with important implications for business journalists. The courts were now entitled to take a strict view of illegally gathered information. The decision raised the question of how far the fundamental human rights of freedom of the Press and

of speech could be curtailed

Tager pointed out there were already "built-in safeguards" in this regard. The Newspaper Press Union had "exercised self-regulation in a responsible way for years", journalists were bound by ethical principles and deterred from irresponsible reporting through risk of defamation action, while public companies had as much recourse to laws concerning defamation as a private individual. The Press played a crucial role in bringing harmful business practices to the attention of the public

Picture: Page 2

POLITICS

R1-m 'wasted' on Neethling's two libel cases

Political Staff

THE taxpayer has paid at least R688 319 — and possibly more than R1 million — in legal fees to former police forensic expert Lieutenant-General Lothar Neethling to sue two publications which accused him of involvement in dirty tricks.

ANC Sandton MP Mr Dave Dalling slated the expenditure as an abuse of public funds, describing it as another case of state corruption.

Law and Order Minister Mr Hernus Kriel said in parliament that the State had paid R688 319,91 up to February 18 for General Neethling's civil defamation action against the Weekly Mail and Vrye Weekblad — which he lost.

Mr Kriel was replying to questions from Mr Dalling, who said the answers did not disclose all facts.

He said that by last March the State had paid R461 633,46 in costs and a further R120 000 as surety for counter-claims.

Since then the State had paid a further R688 319,91 in costs — "more than R1 million by the taxpayer. To favour one general in this way is to take the NP gravy train to the verge of the ridiculous".

SACP backs ANC bid for power

Political Staff

THE South African Communist Party central committee has pledged its full support for the ANC's bid for a major victory in elections for a constituent assembly.

The decision was taken after the committee gave its general support for the "transition package" adopted by the ANC's national executive.

The SACP also resolved not to contest the elections on its own, but under the ANC banner, and to ensure the ANC's election platform was guided by a commitment to a thorough reconstruction of state structures, the economy and society.

Rent, service arrears total R1,9-bn

Political Correspondent

RENT and service charge arrears in townships totalled more than R1,9-billion by the end of last year.

Replying to a question by Mr Joseph Chiole (CP Pretoria West), Minister of Local Government and Housing Dr Tertius

us Delport said Transvaal townships accounted for the bulk — more than R1,6-billion.

Cape townships owed R166,7-million, those in the Free State R128,8-million and Natal R10,7-million.

Of the total, local authorities — all in the Transvaal — owed Eskom R643,2-million

Anti-smoking Bill to be tabled soon

AN anti-smoking Bill, to be tabled as soon as possible, will include a ban on the sale of tobacco products to people under 16, says Minister of National Health Dr Rina Venter.

Replying to a question from Mrs Carole Charlewood (DP Umbilo) she said the measure was on the legislative agenda

for this session of parliament.

The Bill would control the use, sale and advertising of tobacco products and give the minister power to regulate the health warning on tobacco products and to prescribe the claims which could not be made in advertisements, Dr Venter said — Sapa.

Hanging not 'selective'

THE Minister of Law and Order would not ask the State President for death sentences to be carried out on people convicted of killing policemen

Replying to a question from Mr Douglas Gibson (DP Yeville), Mr Hernus Kriel said that the death penalty should

not be imposed on a particular category of killers

He also referred to the speech made by President De Klerk at the opening of parliament, in which he said the wave of murders made it difficult for the government to continue the moratorium on hangings — Sapa

Absent soldiers to be prosecuted

PEOPLE who had ignored call-up for January's national service intake would be prosecuted, said Defence Minister Mr Gene Louw

In an oral reply to a question by Mr Rob Haswell (Ind Maritzburg North), he said prosecu-

tions were suspended until last year's amendments to the Defence Act were implemented

These gave potential objectors wider scope for refusal.

New call-ups had been issued once the 1992 Amendments had been instituted. — Sapa

ANC explains stand to Cape

Political Staff

THE ANC today begins the task of explaining its constitutional package in the Western Cape, a region which opposed power-sharing at a meeting of the movement's national executive committee last week

Secretary-general Mr Cyril Ramaphosa will talk about lat-

est developments in bilateral talks with the government at a public meeting at UWC at 4 pm.

And, at 5.30 pm, he will brief branch executive members behind closed doors.

●ANC and government negotiators meet again on Tuesday and Wednesday

Journalists have role to play

2113
27/26/93

FINANCIAL journalists had an important role to play in turning the spotlight on corruption and fraud, both in government and the private sector, Gavin Stewart, head of the journalism and media studies department at Rhodes University, said yesterday.

He was speaking at the first Syfrets business journalism award ceremony in Johannesburg.

A total of R30 000 in prize money was shared between six winning journalists. Howard Preece of Finance Week and John Spira of The Star received the main prizes.

Louise Tager, executive officer of the Law Review Project, speaking about the case of the Financial Mail versus Sage Holdings, said: "The public relies on a free and unfettered press."

Gluckman:
~~report a~~ (243)
STAR 27/2/93
**report a
distortion**

PATHOLOGIST Dr Jonathan Gluckman has taken issue with a report in The Star on Thursday which reports on a TV documentary on his work which was broadcast on Britain's Channel 4 this week.

The Star's report says the programme charges State medical officials with carrying out "fake post-mortems". Gluckman replies: "This report conveys a distortion of what I said in the course of an interview."

Offence

"I stated explicitly and with emphasis that I have never had a problem with a State pathologist with autopsies conducted either after or together with a State pathologist in any of the cities in South Africa. This report must cause the gravest offence to State pathologists for whom I have the highest respect. Certainly I said there were problems arising out of work done in the countryside.

"At no stage did I say anything which could possibly convey the impression given by The Star's heading of 'Black youths at risk in cells'. In fact, I indicated that cell deaths were rare and, in my view, no more than applied to prisons anywhere in the Western world."

Star 113193

**Arms claims
regrettable
Russian envoy**

The Russian Federation's ambassador to South Africa, Eugeny Goussarov, yesterday rejected allegations by the Weekly Mail that Aeroflot Moscow aircraft were ferrying firearms from Bophuthatswana to Zaire which might find their way to Unita in Angola.

He said in Pretoria that the allegations were "very regrettable mis-information"

Unless a retraction and apology were forthcoming today, an interdict against the newspaper would be sought tomorrow. — Sapa.

Star 2/3/93
Paper titles move urged

CAPE TOWN — The registration of newspaper titles should be taken out of the political sphere, Dene Smuts (DP Grootes Schuur) said yesterday.

Speaking in a debate on the Imprint Amendment Bill, she said the Newspaper Press Union and Media Council were both opposed to registration of newspapers.

The Department of Home Affairs had little more than a trademark

function to avoid possible clashes between similar or identical titles.

(243) (243) As long as a Minister could regulate registration procedures, there was a danger of political abuse. "All that is really necessary, in the public interest and for the public record, is that a newspaper's publisher, address and proprietor be printed in every copy," Smuts said. — Sapa.

Star 2/3/93
Abakor to be privatised

CAPE TOWN — The Government is going ahead with the privatisation and stock exchange listing of Abakor, the State corporation which controls 41 percent of the abattoir industry, Agriculture Minister Dr Kraai van Niekerk announced last night.

The deregulation of the meat industry had removed the last obstacles to privatising the

corporation, he said.

Abakor no longer had a guaranteed market as before and would have to operate in a free market.

Abakor operates the abattoirs at Witbank, Pyramid near Pretoria, Krugersdorp, Johannesburg, Springs, Benoni, Bloemfontein, Kimberley, Cato Ridge, East London and Port Elizabeth. — Political Correspondent.

Star 2/3/93

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(243) (200)
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Star 3/3/93 (243) (187)

Alarm over media ruling

By Jo-Anne Collinge

The Newspaper Press Union (NPU), representing newspaper publishers countrywide, has swelled the wave of condemnation of an Appeal Court judgment which severely restricts publication of information obtained by unlawful means.

The judgment, dismissing an appeal by the Financial Mail against an interdict granted to Sage Holdings, prohibits the publication of information relating to incorporated bodies if such information is unlawfully obtained and if there is no "overriding public interest" which would outweigh other factors.

One of the real problems with the judgment by Chief Justice M Corbett was that "the limits of lawfulness in this regard have not been de-

lined", commented NPU president Roy Paulson.

This vagueness was bound to cause concern among news gatherers, he said, and the restriction placed on "the normal operation of newspapers and other publications" was obvious.

"Except in rare cases it will be illegal to publish information obtained by means of unlawful intrusion.

"The judgment is most unfortunate when viewed against a background of frequent allegations of corruption in the Government and of rising commercial crime. Newspapers' ability to help curb corruption and crime - to both their and the country's interest - will now become very difficult."

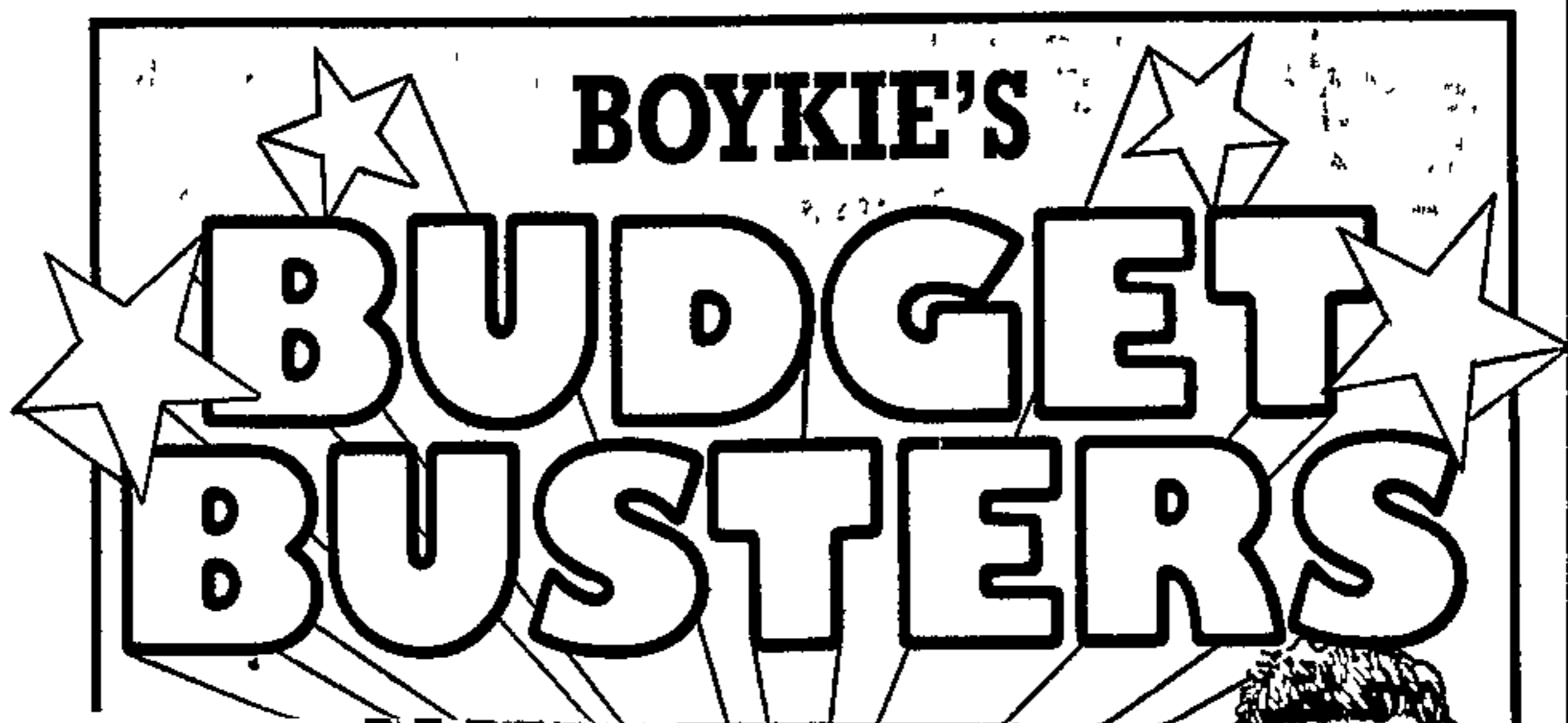
In the Financial Mail-Sage case, the magazine was prevented from pub-

lishing an article based on information contained in a confidential document and in illicit tape-recordings of phone conversations, both of which were "leaked" to a journalist.

The Appeal Court held that the tapes and the confidential document "stood on the same footing"

Paulson pointed out that the only possible way of reversing the effect of the judgment would be through safeguards on the free flow of information in a Bill of Rights.

"The judgment also substantially restricts the defence of public interest and focuses judicial concern on the sources of information and manner of obtaining it rather than the relevance of the information itself," Paulson said.



position of human resources director, which Nosa recently advertised, immediately The FM was told that Shipham had applied for the position.

Eddie Botha

POLITICS FM 5/3/93

Tunnel vision

A senior Nasionale Pers editor has attacked the National Party's handling of the present political situation. *Insig* editor Willem Wepener has openly criticised President F W de Klerk's Cabinet shuffle and recent announcements by Ministers

Insig is an opinion-forming publication in the Naspers stable, which is traditionally firm in its support for the National Party. Wepener, a Naspers stalwart and former editor of *Rapport* and *Beeld*, says perhaps

FINANCIAL MAIL • MARCH • 5 • 1993 • 47

CURRENT AFFAIRS FM 5/3/93

the time has come to include a broad spectrum of SA interests in the negotiating process. The biggest problem facing the country is that politicians suffer from tunnel vision — “with a ballot box as the only light at the end of the tunnel,” writes Wepener. He cites De Klerk's recent Cabinet shuffle. “His eyes, judged by his appointments, are only focused on that light and nothing else”

He does not limit his criticism to government. There is “the Buthelezi wail from Natal when he thinks that he has been excluded from all the fun” and the ANC's walkout from Codesa and mass action campaign — which Wepener says is nothing less than political pressure and intimidation

“Meanwhile, ordinary South Africans sit with their hearts in their throats and watch how our country is being ruined economically; how anarchy rules our streets and homes, how our existence is threatened by unemployment and our once beautiful cities are marred by shanty towns and squatter camps which just grow and grow . . . one will have to go very far to find a handful of South Africans who still steadfastly believe that politicians are able to work out a viable existence from the mess in which our country finds itself” ■

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GOVERNMENT GAZETTE

STAATSKOERANT

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Vol 333

CAPE TOWN, 5 MARCH 1993

KAAPSTAD, 5 MAART 1993

No. 14619

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 362

5 March 1993

No 362

5 Maart 1993

It is hereby notified that the State President has assented to the following Act which is hereby published for general information —

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word —

No 2 of 1993· Registration of Newspapers Amendment Act, 1993

No. 2 van 1993 Wysigingswet op die Registrasie van Nuusblaaie, 1993

ACT

To amend the Registration of Newspapers Amendment Act, 1982, so as to repeal the provisions of the Act that have not been put into operation; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President)
(Assented to 26 February 1993.)*

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows —

Repeal of section 2 of Act 98 of 1982

5

1. Section 2 of the Registration of Newspapers Amendment Act, 1982 (hereinafter referred to as the principal Act), is hereby repealed.

Amendment of section 3 of Act 98 of 1982

2. Section 3 of the principal Act is hereby amended by the deletion of paragraph (a)

Short title

10

3. This Act shall be called the Registration of Newspapers Amendment Act, 1993.

No. 14619

REGISTRATION OF NEWSPAPERS AMENDMENT ACT, 1993
5 MARCH 1993

Wet tot wysigting van die Registrasie van Nuus-
bladske Wet van 1982 (No. 98 van 1982) sodat die
bepalinge van die Wet wat nie in werking gestel is nie,
afgeskaf word en voorsiening gemaak word vir sake
verwante daaraan.

WET

Tot wysiging van die Wysigingswet op die Registrasie van Nuusblaaie, 1982, ten einde die bepalings van die Wet wat nie in werking gestel is nie, te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 26 Februarie 1993)*

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg —

Herroeping van artikel 2 van Wet 98 van 1982

5

1. Artikel 2 van die Wysigingswet op die Registrasie van Nuusblaaie, 1982 (hieronder die Hoofwet genoem), word hierby herroep.

Wysiging van artikel 3 van Wet 98 van 1982

2. Artikel 3 van die Hoofwet word hierby gewysig deur paragraaf (a) te skrap

Kort titel

10

3. Hierdie Wet heet die Wysigingswet op die Registrasie van Nuusblaaie, 1993

The only way to play the game

Star 5/31/93

(243)

PETER REYNOLDS, legal adviser to The Star

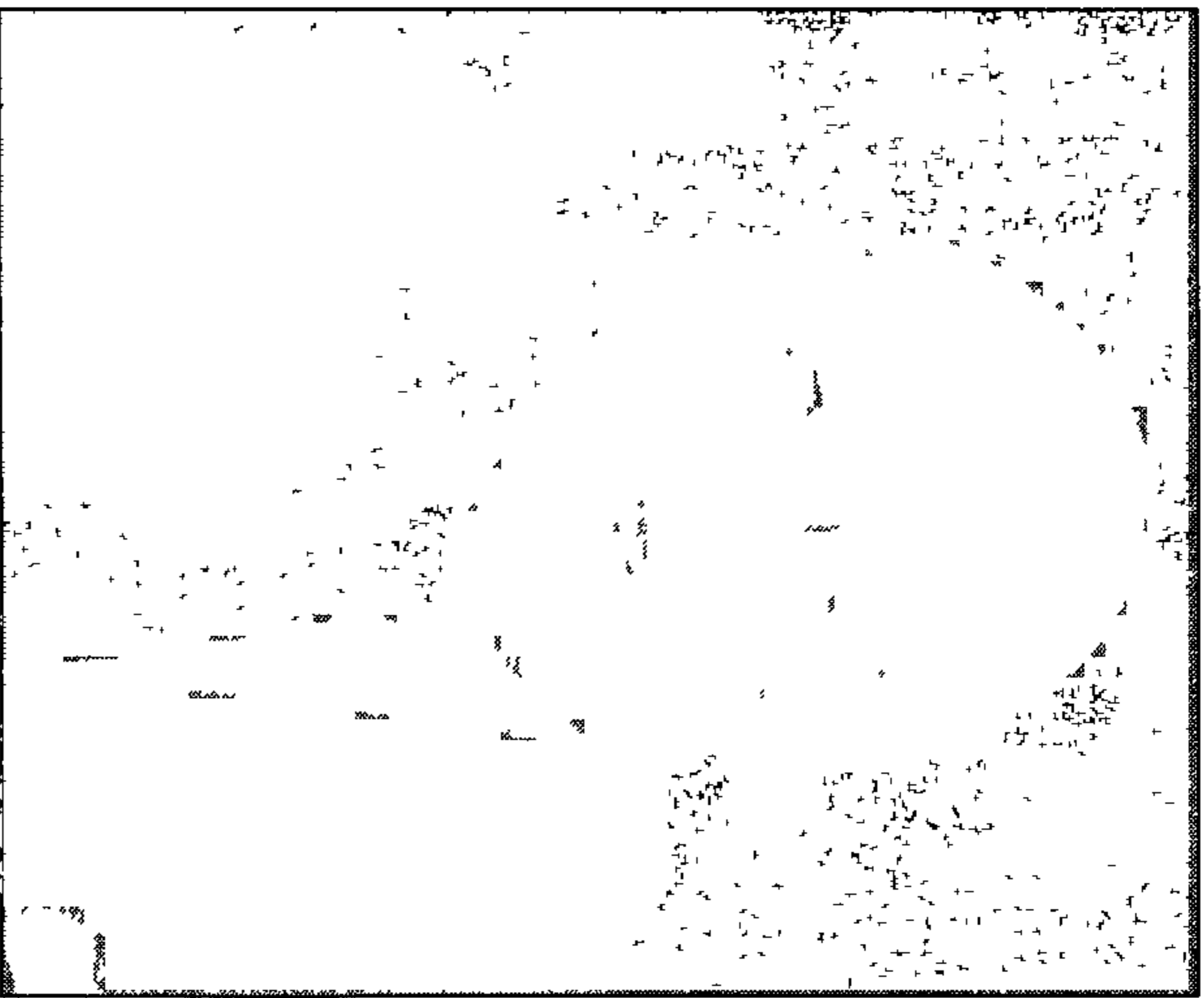
IT HAS been called an "unwise judgment" and "a new tool for censorship", but is it? The FMV Sage judgment of course limits the public's right to know — but to know what? This, it is suggested, is the real question.

Stripped of what I perceive to have been a tinge of subjectivity, the Appellate Division judgment in the case of Sage Holdings and Financial Mail, has established a principle which is not entirely unfair to the press. The principle is that a corporation (like any natural person) now enjoys a right to privacy. Consequently, the press can be prevented from publishing sensitive and confidential corporate information, which is not of overriding public interest, and more particularly, if obtained in an unlawful manner.

This, surely, is the only way to play the game? In exactly the same way as the press should not eavesdrop in bedrooms and report intimate conversations, or climb on to rooftops to take pictures of persons in their gardens, there is a certain category of private corporate information which should not be published. There must be rules governing the protection of privacy. There are such rules and you are entitled to protection — even if you are Prince Charles and Camilla. But then there must, in the nature of things, also be exceptions.

If Charles and Camilla had been plotting the overthrow of the English parliament, instead of discussing somewhat more personal matters, then a newspaper receiving such information (however obtained), had a duty to make it public.

This is what I believe the Chief Justice would have called the "overriding grounds



Peter Reynolds 'Judgment not unfair'

in favour of the public being informed" and which justifies the publication of that kind of material without judicial interference.

It seems that it matters not how the information is obtained, but whether it is of "overriding public interest" — if it is, it can be published. If borderline, and, in addition, the information has emerged against an unlawful murky background, the press should leave it alone, that is, if they want to avoid the possibility of litigation.

A hypothetical example of what can be published is this: a newspaper receives a tape

There may be a public inquisitiveness in knowing — but a right to know? I doubt it. It seems the judgment does no more than underpin this commonsense approach to responsible journalism.

Maybe, as David Hoffe, the attorney for the FM says, it is not as easy as this, because "where is the line to be drawn?" Fair enough, but the principle is clear — these are now the rules, and they do not seem to be insurmountable.

In the same way as the press must decide whether a statement is defamatory or not, and, if defamatory, whether there is a defence, so also must newspapers now take decisions as to whether the confidential information which they intend to publish is such as to be outside the prohibition laid down by the Appellate Division, or not.

Also, one needs to take note of the manner in which the Appellate Division, in its judgment, commented on the taping of telephone conversations.

The Chief Justice found this "a factor of major significance", but whether or not this was an aggravating feature in the court's mind is not known. I think it was, but, in any event, the press must now be particularly careful in publishing private information of any kind, which arises in an unlawful manner.

Until this judgment, and defamatory statements aside, the press was able reasonably freely to report on the private affairs of corporations. The privacy of corporations was not protected from public scrutiny in the same manner as individuals. It was up to the press to ensure that corporate privacy was respected, if so demanded by the rules of responsible journalism.

However, the courts have taken over this self-policing role and can now prevent such an invasion of privacy. To any

newspaper committed to free open and responsible journalism, one understands that an attempt at censorship is unacceptable, but rules there should be, and, if they are not complied with, the courts may feel obliged to enforce them.

The rules of fair play surely demand that, with certain exceptions mentioned above, sensitive and confidential information should be protected whether it be of a corporate or individual nature. The Appellate Division confirms this demand and the principle of fair play in matters of privacy. Although Chief Justice Corbett may have thrown up a wall of protection around corporations he has not completely gagged the press.

If there are "overriding grounds in favour of the public being informed", says the Chief Justice, the wall comes tumbling down, even if the information arises from the invasion of privacy, and even if obtained unlawfully.

The extreme cases of what is and what is not permissible publication in the public interest should be readily determinable.

However, there will always be grey areas which will require careful consideration by the press. With reputation, honesty and integrity at stake, decisions on publication of sensitive and confidential information will need to be taken even more carefully than before.

To encapsulate my views, it seems that the Appellate Division has done no more than extend the protection of privacy from individuals to corporations, with exception when there are legitimate grounds for saying "the public has a right to know". I do not think this is unfair; I do not think it is "a new tool for censorship". The rules of natural justice demand fair and equitable treatment for all — so why not corporations? □

SOUTH AFRICA'S debate on a bill of rights has turned into a form of political duelling banjos — without the musical treat. To date, the African National Congress, the National Party and Inkatha have all put forward their versions of "fundamental" rights. The Democratic Party is belatedly preparing its own.

Rights have become barter commodities, while the apathy of the people whose interests are supposedly at stake can be measured in inverse proportion to the esteemed legal minds involved in dreaming up new rights.

The latest contribution, the ANC's updated draft bill, has just arrived in the mail. It is a "preliminary, revised version" to be put to the movement's policy conference for finality.

It is a cumbersome document, 24 pages long, consisting of 23 sections and numerous clauses and sub-clauses and points of explanation. Six of the sections have nothing to do with rights, but the procedures to be followed in the event of a state of emergency, when the president and a majority in parliament can suspend just about every civil liberty that the first 13 sections of the same document create.

The ANC draft points to the huge limitation to the discussion of bills of rights in South Africa — that it is not being conducted by flesh and blood people, but by political parties, backed up by bloodless lawyers to dot the i's, cross the t's and mangle the language.

A good litmus test of a bill of rights is always to look at the section on freedom of speech and information, because this is the one that political parties most often like to fool around with.

This is what greets one under article four of the ANC document: "There shall be freedom of thought, speech, free expression, and opinion, including a free press which shall report and comment fairly and respect the right of reply."

The constitutional requirement that the press "shall report and comment fairly" has been added since the last draft bill of rights in 1991.

What bothers one is that some of the finest legal minds in the country are involved. One would feel a lot better if this was the first draft.

The fact that they have come this far, laundered it through a number of sub-committees and discussion groups, to still arrive at this formulation persuades one that the desire to muzzle the press is an extremely persistent strain in ANC thinking.

It is difficult to imagine that, after the legal experts have let this clause pass, an ANC policy conference, dominated as it would be by political activists, would feel a compelling need to argue it down.

It's not that one does not believe that a free press should report and comment fairly and respect the right of reply.

But as a legal colleague points out, the United States Supreme Court has made the point over and over again that some measure of abuse and error is inherent in every right. Freedom of speech cannot be restricted to what is deemed to be fair. Otherwise it wouldn't be free.

Besides, who will decide what is fair and what is unfair?

This provision takes one right back to the era of John Vorster and the Nationalist government demanding that the press be responsible, but not even Vorster or Stoffel Botha attempted to embed an authoritarian prohibition on "unfair comment" in the constitution of the country.

Banging the rights drum (but the sound jars)



On the programme are various bills of rights, played by South Africa's political parties. But the African National Congress and National Party strum to the same tune — which has little to do with ensuring people's rights.



By **PHILLIP VAN NIEKERK**

Under the ANC's bill of rights, allegedly devised to create greater freedom, the press will be less free than it is now.

What is equally disturbing is what the section on press freedom, like the NP bill of rights, leaves out. Having gone to great lengths to provide an exhaustive list of rights for the citizenry in the rest of the bill, there is no freedom of information provision, no right of citizens to have access to the records of government.

This is a provision that could really empower people and, given the justifiable concerns about corruption and abuse of power, make government much more accountable.

The ANC is not silent on this point. Instead, it proffers the vague and unenforceable "all men and women shall be entitled to all the information necessary to enable them to make

effective use of their rights as citizens, workers or consumers."

Who will decide what the limits of "necessary" and "effective" are? The only conclusion one can draw from this phrasing is that lawyers are capable of meaningless formulations when they need to put dud clauses into contracts.

One ought not to be too surprised. The ANC, as the probable future government, has never liked the media prying into its documents.

Last year, the commission of inquiry into the ANC's detention camps recommended that the movement release the internal report into the 1984 camps mutiny and the internal inquiry into the 1989 death of Umkhonto weSizwe commander Thami Zulu, which is still shrouded in mystery.

The release of both documents should be

regarded as being in the public interest. Still, nothing has been forthcoming.

It is notable that the key drafter of the Thami Zulu report, which by all accounts is a whitewash, is Albie Sachs, a member of the ANC constitutional committee.

But it is not only what is actually said in the phrasing of the bill, or left out, but the whole cumbersome litany of rights that makes both the ANC and the government's charters so problematic.

The core freedoms are diluted and weakened when lumped together with every imaginable right, such as equality in marriage (a section that could inadvertently outlaw ante-nuptial contracts).

Press freedom and the right to a fair trial are degraded to one of dozens of other rights, some enforceable, others not.

It's not that some rights are superior to others, it's just that they're of a different order. Why not create a special charter of social and economic rights, including the rights of trade union members, of children, of the disabled, the rights to shelter and jobs, as a progressive statement of intent for the new South Africa, separate from the practical and enforceable core civil rights?

There is much that is gratuitous in the ANC's document. For instance, there is this clause: "Legislation may provide for reproductive rights and rights associated with childbirth and child-raising may be respected." Do we really need to say this?

It is reminiscent of one Noah Webster, who was opposed to a bill of rights in the American constitution and sarcastically suggested that a clause be inserted saying "Congress shall never restrain any inhabitant of America from eating and drinking, at seasonable times, or prevent his lying on his left side, in a long winter's night, or even on his back, when he is fatigued from lying on his right."

The American Bill of Rights, an amendment to the constitution, has lasted more than 200 years. That is largely because its most empowering feature is that it is relatively short and the language is wonderfully clear and simple.

At the end of the day, the ANC has produced a document that seeks to set society in a strait-jacket of political correctness. It might win votes but ends up defeating the object of a bill of rights.

As the DP's Tony Leon says, both the National Party and the ANC have taken their political manifestoes and dressed them up as bills of rights. I hope he keeps that in mind when he draws up the DP's version.

The most ominous aspect is that there is a convergence between the ANC and the NP government in the ease with which the core rights can be derogated — in which, for instance, people can be detained without trial and censorship introduced.

As the new South Africa is unlikely to face a military threat from the outside, unless spacemen from Mars invade, what we have is a blueprint for the crushing of internal dissent — and in the bill of rights yet.

Let us hope that South Africa does not yawn its way into the new era when the ANC and the NP together will share awesome power, having arrogated the right to themselves to suspend civil liberties with a minimum of fanfare.

Boardroom secrets: are they safe at last?

News media are not entitled to publish confidential company information — particularly if it is obtained in an unauthorised manner — unless it is in the public interest, said the Appeal Court in a recent judgment. But some sections of the media are unhappy with this ruling. The Star invited two lawyers, one an academic and one a specialist in law pertaining to the media, to give their views.

Business freedoms are essential

MUCH anxiety has been stirred by the recent judgment of the Appeal Court on how free the press is to publish a company's confidential communications

Sage Holdings had obtained an interdict from the Witwatersrand Supreme Court to restrain the Financial Mail from publishing an article based on information obtained from an illegal phone tap and from a confidential document internal to a company with which Sage was associated

On appeal, a majority of the Appeal Court, speaking through Chief Justice Corbett, decided that the court below had been right to interdict the Financial Mail. Judge Corbett held that a company is entitled to the protection of its privacy, provided, it seems, that there is no overriding public interest in disclosure

Journalists are now understandably worried that the judgment might restrict their freedom to investigate. They are of course correct critically to scrutinise any legal impediment to reporting

Corruption is rampant in this country, in the public sector and the private. Companies abound which are careless about the harm they cause the consumers of their products, and the devastation they inflict on the environment. Management flourishes which are indifferent to the investors whose funds are entrusted to them

South Africans are therefore more dependent now than ever upon an energetic press to expose business malpractice. We need, more than ever, to empower the press to protect the powerless. It is right that every clog on the freedom of the press to publish should be suspect, that it should have to be justified

It is unfortunate, however, that so much of the criticism levelled at *FM v Sage* should rest upon a casual canvass of the questions in issue

In a fierce editorial, the Sunday Times, for instance, a sister publication of the Financial Mail, omits entirely to mention that part of the infor-

ETIENNE MUREINIK, professor of law at Wits University

information upon which the offending article was based had been obtained by tapping the telephone of a director of Sage — a serious intrusion not only into company confidentiality, but also into personal privacy

It is true that the FM was not party to the tapping, but if the courts had licensed it to publish the fruits of unlawful surveillance, how effective could legal protection against phone-tapping hope to be? That protection is easy enough to evade. Freedom to publish the fruits of evasion might be all the incentive necessary to eviscerate legal protection altogether

The Sunday Times appeals to the idea of a Bill of Rights as protection against judgments like *FM v Sage*, but Bills of Rights have been hostile to intrusions into personal privacy ever since the American one proclaimed, two centuries ago, that the "right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated"

The angry simplicities of the leader writer do not, unfortunately, help to understand Judge Corbett's careful judgment

What is at stake is quite simply whether we want a modern economy. If we do, then we must want to be able to concentrate resources — labour, capital, expertise — in the way that modern production and distribution require. For that we need business organisations. This is true equally of socialism, capitalism, and any hybrid of the two

If we want business organisations, then we must want the conditions that permit them to operate. We must want to permit members of organisations to communicate with one another in confidence, and we must want to permit the managers of an organisation to use the tele-

phone free of surveillance. These freedoms are essential to the proper functioning of any organisation

And since a newspaper is a business organisation too, these freedoms are essential even for the proper functioning of the press

What effect would it have upon investigative journalism if a newspaper's enemies were entirely free to bug its phones, and to steal and publish its reporters' preliminary notes? The integrity of an organisation might not be as glamorous an ideal as freedom to publish, but it may be every bit as essential for a free and vigorous press

None of this, of course, means that we want to let predatory businesses abuse confidentiality to conceal exploitation or fraud. That is where Judge Corbett's overriding public interest in disclosures comes in

The Chief Justice's apparent approval of a judgment of the English Court of Appeal, cited for illustration, suggests that that interest would override privacy easily enough to permit disclosure of the unreliability of breath testers sold to the police to measure intoxication levels in motorists

Since the public would often have an even greater interest in corruption, or the production or sale of harmful goods, or damage to the environment, or exploitation — whether of workers, consumers or investors — there would seem to be ample scope for the public interest to override privacy. It is far from clear, as many critics have assumed, that the Chief Justice was announcing an extremely narrow exception

It is true that the Chief Justice did imply that the public interest could override privacy only rarely; but the context of that remark is a discussion of telephone tapping, and it is scarcely surprising that the Chief Justice should have been at pains to discourage that evil, nor that in doing so he should have resorted to emphatic language

It nevertheless remains true that the language which Judge



Etienne Mureinik - 'concern is premature'

Corbett used to describe his overriding public interest is more parsimonious, and more tentative, than is desirable. Nor does the assumption that the kind of impropriety which warrants disclosure is a rarity jell with the pervasive malfeasance disclosed daily in the media

But it is important to appreciate that the Chief Justice's language does not settle the content of the category of overriding public interest

All that seems clear from his judgment is two principles: business organisations have to be free to communicate in private, and the press has to be free, in the public interest, to trump that privacy

Those principles are not very controversial, and even the minority judges in *FM v Sage* (who dissented on a question of little general significance) did not contest them. What is controversial is

what counts as private and what counts as an overriding public interest

Until that is determined — until the line between private and public is drawn by later judgments — much of the concern aroused by the present case is premature

It may be, of course, that the public ought to be told more about the internal affairs of public companies. If so, the solution must surely be to extend the duties of disclosure required by law

The answer can hardly be a system of disclosure which depends upon the vagaries of illegal bugging and breach of confidence

And it can scarcely consist of legal rules which proclaim systematic incentives to ignore what, after the media's brutal exposure of the Windsors' most intimate secrets, is an especially fragile idea: the legal protection of privacy

Sweeping changes to SA's press watchdog

Star 6/3/93

243 3

THE code of conduct affecting the media would be reviewed, it was announced yesterday as the official press watchdog, the South African Media Council, changed its name to the Press Council of South Africa.

THE South African Media Council, renamed the Press Council of South Africa, has divorced its operations from broadcasting with the aim of circumventing government meddling.

Conference of Editors at a general meeting of the Media Council, registrar Ed Linington said in a statement.

South Africa and to defend the media from improper pressure from any source," Linington said

In a related development, the Press Council announced that broadcast media would no longer fall under its jurisdiction, as it feared interference in the print media by a future government.

Sunday Times editor Ken Owen proposed the separation of the functions of print and broadcasting on behalf of the

Owen said editors feared that if a future government sought to control the broadcast media, "as appeared likely", the print media would be open to similar interference and control if the council continued to include broadcasting. "In future it (the council) will deal only with complaints against the printed media, although it will continue to uphold and maintain the freedom of all media in

John Featherstone of the Newspaper Press Union said the NPU had unanimously supported the move to separate print from broadcast media. During the discussion on the matter, it was pointed out that nowhere else in the world was there a media council that dealt with both

The discussion took place against the background of an application by the National Association of Broadcasters to submit their members to the jurisdiction of the Media Council. Owen said editors were prepared to cooperate with the NAB on such things as administration services if they were to have their own separate council and constitution which would deal with the broadcast media.

The code of conduct would be reviewed to find out if it needed to be changed to adapt to new circumstances and standards, Linington said. "In particular, the article prohibiting payment to persons engaged in crime or notorious behaviour is to be re-drafted to give better and more enforceable expression to its intent," he said.

This arises from the dismissal of a recent complaint against Rapport newspaper for payment to Wit Wolf Barend Strydom for a feature article.

In dismissing the complaint, the adjudication panel of the council held that the clause, as it was now phrased, applied only to people currently engaged in criminal or notorious activities.

As the council announced its name change, it decided to postpone for one year the proposed reduction in membership from 20 to 12

Professor Kobus van Rooyen, the chairman, said it was desirable to maintain a diversity of public representation on the council at least until the end of 1994. — Sapa.



Newspapers act to thwart interference

S/Times 713193 (243) (65)

By CHARLES LEONARD

FEARS that a future government might seek to control the electronic media have prompted newspapermen to exclude broadcasters from the South African Media Council.

To reflect this decision, the council decided on Friday to change its name to the Press Council of South Africa — and to reject an approach by the National Association of Broadcasters

The newly renamed council will in future only deal with complaints against the printed media, although it will seek to uphold and maintain the freedom of all media and protect it from “improper pressure”.

Proposing the exclusion on behalf of the Conference of Editors, Sunday Times editor Ken Owen said editors feared that if a future government sought to control the broadcast media, as appeared likely, the print media would be open to similar interference and control if the council continued to include broadcast media

Mr John Featherstone of the Newspaper Press Union, whose 147 full and 67 associate members all form part of the

council, said the NPU had unanimously supported the separation of the functions of print and broadcasting.

All the major daily, weekly and Sunday papers belong to the NPU, as do most country papers. Magazines form part of the union's associate membership.

Friday's discussion took place against the background of the NAB's application to submit their members to the jurisdiction of the Media Council.

The NAB's members include the SABC, Radio 702, M-Net, Bop Radio and Bop Television.

During the discussion it was pointed out that nowhere in the world was there a media council that dealt with both print and broadcast media.

It is believed the broadcasters have decided to establish a sister organisation, presumably to be known as the Broadcast Council

NAB president Stan Katz said the association was meeting next week to discuss the move and he did not want to comment before discussions with all the members had taken place

● See Page 20



The courts take over where the Nats left off

STimes 7/3/93.

243/227

FOR 12 bitter years, while the courts of Britain and the House of Lords suppressed the truth, the armless and legless victims of the crippling drug thalidomide fought a lonely battle for compensation from the powerful pharmaceutical company that manufactured and sold the drug. They got nowhere.

When the London Sunday Times tried to come to their assistance, it was gagged by the courts and had to appeal, in the end, to the European Court of Human Rights on the grounds that its rights to free expression were being violated by the British courts.

Having won in Europe the case it had lost in Britain, the Sunday Times was eventually able to tell a shocked public that thalidomide had been put on the market without proper testing.

My generation of South African journalists has believed for 40 years or longer that such things could not happen here. The government might be oppressive, the society at large unsympathetic and the statute law a notorious minefield, but at least we did not have the system of "gagging writs". The courts, we believed, were by and large our allies.

That belief has been exposed as naive. The Appellate Division, in the case brought by the Financial Mail against Sage Holdings, has ruled that there is a "public interest in preserving confidentiality in private affairs" and "in discouraging the leaking of private and confidential information". The Financial Mail has been effectively gagged.

In reaching this judgment the Appellate Division seems to me to have gone out of its way to import the very worst of British law, in an area, moreover, where Britain is notoriously backward among the modern democracies, but I am happy to leave the legalities to be dissected in the law journals.

Of immediate interest to newspapers is that more damage has been done to the cause of press freedom by the Appellate Division in the past decade than was done by the National Party in 45 years of deliberate oppression. Under the law as it now stands, forbid-

ding "intrusion" into the "privacy" of listed commercial companies, many of the outstanding investigations carried out by reporters like Kitt Katzin or Martin Welz would never have seen the light of day.

For reporters to use "leaked" information, or unlawfully obtained documents, is not unusual. Martin Welz once gathered 11 000 documents to prove that local pharmaceutical companies were putting inferior products — like leaky drip bags — on the market, and that there was evidence of widespread corruption behind that unscrupulous trade.

Even the Appellate Division seems to allow for this practice in cases of "overriding public interest", but it calls this public interest a *rara avis*, a rare bird. The difficulty, indeed, is to discern the public interest. For example, if a newspaper were to discover from illegally acquired documents a conspiracy to assassinate the Chief Justice, and if the conspirators went to court to claim invasion of their "privacy", it is not at all clear to me how the Chief Justice would distinguish his own interests from the public interest.

THE British precedents are not reassuring. In the thalidomide case, Mr Justice Talbot dismissed the argument that confidential information could be disclosed in the public interest in these astonishing words: "In my view negligence, if it could be proved, could not constitute an exception to the need to protect confidentiality."

Even when that negligence caused children to be born with flippers in place of arms and legs? *Rara avis* indeed!

Lord Denning, the legendary Master of the Rolls, took the side of liberty, as Mr Justice Kriegler has done in this country, saying "Besides the interests of the parties in the litigation, there is the interest of the public in matters of national concern, and the freedom of the press to make fair comment." But he was overruled by the Law Lords.

The thalidomide case grew out of precedents established over a long

period, beginning in the last century with revulsion against the publication of some of Queen Victoria's private correspondence. The Sage judgment reflects a similar sense of revulsion: "I am old-fashioned enough to think that loyalty is a virtue. . ."; or "Is it open season on information so that he with the best listening device or bugging apparatus can ascertain the business secrets . . . of a company?"

Such revulsion against invasions of privacy is not confined to the courts. This newspaper has itself argued for a review of the laws to protect the privacy of the individual against electronic snooping devices and long-distance cameras, but that is the task of the legislature, it is not for the judiciary to legislate by creative interpretation of the law.

CREATIVE interpretation of the law in the past decade has made newspapers (even pamphlets, or *samsdat* publications?) strictly liable for the truth of defamatory material, it has permitted political bodies like Inkatha (and the Broederbond, the CCB, the Nazis and crooked corporations?) to sue for defamation; and at a time of unparalleled corruption in our society it has given to "juristic persons" the right to privacy.

For me, this judgment has been a watershed. I have lived my life in awe of the common law, clinging naively to the assurances of men like Mr Sydney Kentridge that Roman Dutch Law, properly applied, protects the rights and liberties of the ordinary person.

But, as interpreted by the courts, the common law has for 45 years served rather to protect power and privilege against the clamour of the people, and it continues to do so. We have lived in this country under the lash of the law, not under the care and protection of the law.

This judgment has convinced me it will always be so. What ordinary people need is not the protection of the common law but protection against it.

KEN OWEN

Call for media freedom guarantees

THE Press Council of SA called on Friday for a "100%" media freedom guarantee in the Bill of Rights.

Chairman Kobus van Rooyen told a meeting of the SA Media Council, which changed its name to the Press Council on Friday, that the guarantee should be applied and interpreted by a constitutional court. *243 (30)*
8/10/93

"A 100% guarantee does not imply that there should be no restrictions on the media. The 100% means that only if Parliament is unanimous should this guarantee be repealed," Prof van Rooyen said in his opening speech.

"We have proposed such a guarantee to the government," he said.

Van Rooyen called also for self-regulation, which he said should not be confused with involuntary self-censorship.

"Self-regulation in no way implies that the body set up to maintain standards can be dissolved or its constitution amended without certain procedural restraints having to be complied with.

"The media must be forceful, convincing and independent in its criticism, whether it be of irregularity, unfairness, unduly curbing statutes or court judgment. It is our task to make people aware of the enormous functions of the Press."

Van Rooyen called for the repeal of Section 205 of the Criminal Procedure Act, which compels journalists to disclose their sources.

Van Rooyen proposed that the Publications Act should be limited to deal with age restrictions and the classification of films and videos. "Mature material should be left to the choice of adults" - Sapa.

Soweto forum is still stuck on service charges

8/10/93

SERVICE charges remained a sticking point at Friday's meeting of the Soweto ad hoc committee, which was to have resolved outstanding issues blocking the setting up of the Greater Soweto Forum, Metropolitan Chamber CE Vic Milne said at the weekend.

He said a package of proposals, which had already been put to the chamber, could not be ratified as the service tariffs issue could not be agreed upon.

The package included mechanisms spelling out Roodepoort's involvement in the running of Soweto, service provision, and a tariff structure, he said.

He said a report on the cost of services to Soweto

GAVIN DU VENAGE

had been completed and handed to the civics, who said they needed time to consult their members.

The civics would report back at the next meeting, to be held later this month. Milne said he was confident an agreement would be reached at the end of March.

An agreement would probably lead to the establishment of the Greater Soweto Forum, which would assist a city manager in governing the area.

The forum would negotiate agency agreements and necessary contracts, and oversee the appointment of a city manager.

Director of De Beers dies

DIRK VAN EEDEN

HENRY DYER, De Beers main board director and industrial diamonds division MD, died in Johannesburg on Friday after a brief illness. He was 65.

De Beers chairman Julian Ogilvie Thompson said Dyer was a remarkable man with the rare facility of being able to understand and explain the most technical matters. "We shall miss him deeply as a colleague and a friend, and our deepest sympathy goes to his family."

Dyer joined De Beers as a scientist in 1951. He was a leading member of the team which developed the technology to synthesise industrial diamonds.

In 1971, at the age of 42, he was appointed MD of De

Guardian may buy stake in Weekly Mail

THE Weekly Mail and the Guardian were discussing a financial deal that could lead to the British publication gaining a minority shareholding, Weekly Mail co-editor Anton Harber said last night.

Responding to rumours that the Guardian was poised to buy a 42% stake in the Mail, which is currently owned by staff and individual shareholders, Harber said negotiations on the possibility of such a venture were still at an early stage.

The Guardian might invest a "substantial sum" to become a minority shareholder.

GAVIN DU VENAGE (243)

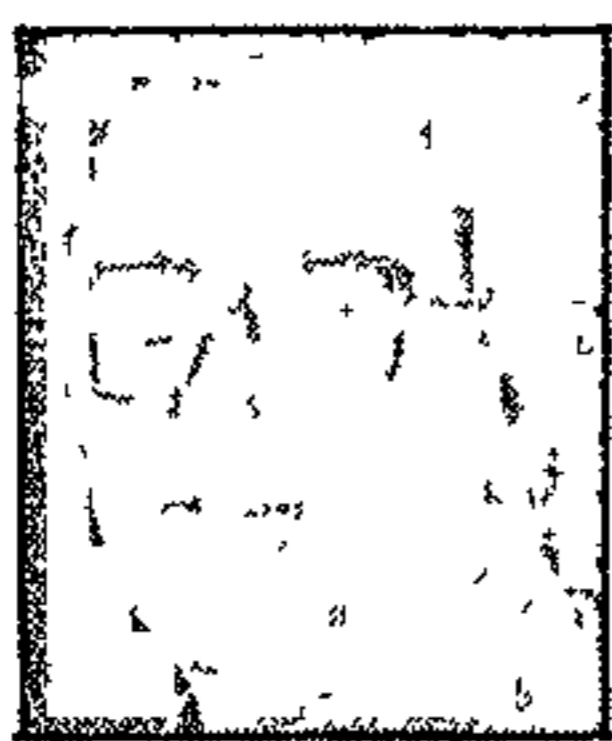
er The money would be used for expansion projects and further investments.

One of the details still to be negotiated was how the British publication would fit into the share structure, said Harber.

"It is evident that the Guardian feels that the relationship we have built over the years is working well," he said.

The Weekly Mail currently publishes the Guardian's weekly international version as an insert.

9/13/93
BIDMS



A bill of rights must forbid censorship

(243)
~~SEA~~

S/Times 14/3/93.

FOR the next fortnight I shall be on the open sea, trying to suppress the peculiar nausea that comes from thinking about free speech in South Africa, so I am taking the liberty of responding at once to the views of Professor John Grogan of Rhodes which are published elsewhere on this page and which, in fairness, should be read first

Without free speech, all other freedoms are vulnerable, and this debate should not be conducted among lawyers, trapped as they are in the byzantine conventions of the law, without regard to what happens in the real world of newspapering. Some red herrings must be identified and some fallacious assumptions removed.

The question at issue is the recent decision by the Appellate Division to forbid the Financial Mail to publish information which had been illegally acquired (not by the FM) from Sage Holdings — information which the editor deemed to be of interest to his readers, to Sage shareholders, to potential investors and to the public at large.

The first fallacy to be removed is that newspapers derive great benefit from publishing the fruits of investigations. They do not. The Rand Daily Mail and the Sunday Express went out of business doing investigations, at least some of which were of great public benefit, while newspapers that didn't touch investigative work still thrive.

The newspaper that wants to increase circulation (and few of them do) resorts to games and puzzles, or to giving dubious advice on achieving multiple orgasms or on making a million. Investigative work is difficult, costly, dangerous and usually stupefying to the readers. Newspaper editors do such work from a long tradition of public service, and profit-minded newspaper managers wish they wouldn't.

The second fallacy is that the newspapers are specifically harmed by gagging orders. They are not. The harm is done to readers, to the ideal of an open society, to democracy, to the culture of rights about which we hear so much. Newspapers usually sell more copies, and sometimes make more money, by publishing harmless trash. To cultivate

trashy newspapers, just put obstacles (like the law) in the way of serious ones.

Finally, there is the fallacy that newspapers deal in truth, or should do so. Only illiterates believe that what is found in print is necessarily true. The purpose of publication in an open society is not to certify truth, but to discover truth. It is to put facts in the open, where they may be challenged, and court gags can serve only to prevent discovery of the truth.

Then the red herrings: this case has nothing to do with the privacy of the individual, nor with the electronic snooping on Princess Diana, nor with theft. If people steal other people's industrial secrets, or their intellectual property, or spy on them with illegal devices, the laws against theft, plagiarism and illegal wire-tapping should be enforced. It makes no more sense to gag newspapers than to kick the dog.

As for the right of "privacy" with which "juristic persons" are suddenly endowed, I can only say that when Professor Tony Matthews wrote a book on the subject some years ago he found so few grounds for privacy in our law that he had to scratch around foreign legal systems for support. The right of privacy is, in this layman's view, very feebly rooted, and should be strengthened, but I doubt that laudable aim will be achieved by stretching privacy to cover up the holes in the law on industrial espionage.

THIS, indeed, is the nub of the matter: the common law, as administered by the courts, has done precious little to protect ordinary South Africans, and has frequently served to oppress them. Lawyers don't like to discuss the subject much, but the unpalatable truth is that our courts, like the German courts during the Nazi period, have enforced wicked laws with diligence and ferocity.

During the apartheid era, neither liberty, nor basic human rights, nor life itself was protected by the law. Indefinite detention laws, which were a charter for torturers, survived for a quarter of a century, secrecy was ele-

vated into a shield for the general corruption of our society; and as for privacy — just think of the policemen raiding at dawn, spying on lovers, tapping telephones, opening mail and so forth. The courts upheld it all.

The exceptions, like Mr Justice Goldstone's judgment in the Govender case which effectively forbade many forced removals, were rare, and one must go back to the Centlivres court in the 50s, in this layman's opinion, to discover a time when the Appellate Division seemed wholeheartedly on the side of the common man. And Chief Justice Centlivres was reduced to campaigning uselessly, after his retirement, from public platforms.

THIS is the background to the gagging of the Financial Mail, which differs in degree but not in substance from the government's decision in 1977 to ban publication of *The World*. Both were acts of censorship, and in my view the court's action was the more pernicious.

The banning of *The World* was a blatantly political act, which evoked counter-attack on political grounds, with political weapons: protest, public scorn, denunciation, hyperbole, even — when speech failed — violence. The gagging of the Financial Mail, an act clothed in the majesty of the law, is immune to such attack, and its pernicious effect is likely to last much longer.

This gagging, which comes as the apartheid restrictions on free speech are falling away, carries an unmistakable message: freedom of expression will not be secured in South Africa simply by the overthrow of a political tyranny, the power of the courts to impose censorship must also be curbed.

To achieve that we must face up honestly to the sad record of the courts under apartheid, and to the deficiencies of the common law in upholding the rights of the individual, and we must entrench in a bill of rights a clause that, quite simply, forbids censorship.

KEN OWEN

CIPress 14/2/93

Afprop will not sue City Press

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FRANS Badenhorst of African Property Development Company (Afprop) this week withdrew his claim for defamation against City Press and agreed to pay the newspaper's legal costs.

Badenhorst was suing City Press for defamation as a result of an article in September last year reporting the declaration of Afprop as a harmful business practice by the Minister of Trade and Industry.

Afprop and Badenhorst were thoroughly investigated by the Business Practices Committee, which has the power to recommend to the Minister whether a business constitutes a harmful practice.

The committee recommended that "the business practice be declared unlawful whereby Mr Frans Badenhorst and Afprop, or any business in which the parties have an interest, sell land, erect buildings or receive remuneration, prior to the land becoming capable of being registered as the subject of a separate title deed".

The committee found Afprop's financial affairs to be in "complete disarray" and found that Badenhorst's personal finances and those of Afprop were "commingled".

Meanwhile, Afprop has been liquidated and liquidator Felix Gay of CA Trust is winding up the company's affairs.

It is not yet known whether the estimated thousands of people who paid money to Afprop for houses which they never got, will get any of their money back.

The Housing Rights Unit at Lawyers for Human Rights is co-ordinating claims by creditors.

LHR is researching other ways creditors, most of them poor, homeless people, could get back any of the money they lost in the Afprop venture.

Truth sets the press free

ST Times 14/3/93.

243

JOHN GROGAN says that, while recent court rulings can inhibit freedom of the press, they are not insurmountable barricades

KEN OWEN'S broadside last week against the courts and the common law contains an extract which, even allowing for a generous dash of journalistic licence, calls for close scrutiny. It was this

"More damage has been done to the cause of press freedom by the Appellate Division in the past decade than was done by the National Party in 45 years of deliberate oppression"

A grave charge indeed when one considers the muzzling legislations, seizures, banings and harassment of journalists for which the government was responsible during the period

Mr Owen goes further. He also blames the common law, which he tells us has "for 45 years served rather to protect power and privilege against the clamour of the people".

These assertions are backed solely by three recent developments in the laws of defamation and privacy — namely, the Appellate Division's ruling that non-trading corporations (including political parties) may suffer damage to their reputations, that the "mass media" are strictly liable for the publication of defamatory matter and, finally, that juristic persons (including

private companies) have a right to privacy

Journalists' concern with these three rulings is understandable. Inhibitions on the freedom of the press they may be. But they are not barricades.

To take them one by one. The rule that non-trading corporations may sue for defamation is an extension of the principle, extending back to the early part of this century, that companies may sue for damage to their trading reputations. It is no more than that. It does not give political parties the right to win damages for defamation if the party who has defamed them can set up a valid defence.

"Strict liability" is similarly limited. It deprives persons who purvey news or views by mechanical or electronic means from shielding themselves from an action for defamation by saying "I didn't mean to defame you, I was merely careless."

So, too, with the most recent finding that juristic persons have a right to privacy. Nobody can deny that corporations could suffer incalculable harm if the public were permitted gratuitously to disclose confidential information pertaining to them. This truism does not imply that

companies and the like are always entitled to prevent disclosure simply because the information concerned is confidential.

Neither does the law as it now stands. It simply gives them the right to try to persuade the courts that disclosure is unlawful because it is either untrue or not in the public interest.

The weak points in all three of these impediments to free speech are, of course, truth and public interest.

This is why the defences or "truth for the public benefit" and of "fair comment" have always remained central pillars in our law, and enable the mass media to plead that the publication of matter which has hurt companies or political parties or politicians serves a cause more important than the private interests of the plaintiff. This is the right of the public to be informed on matters important to it, provided they are truly stated.

I am sure that no responsible journalist will quibble with this principle. It is true that the term "public interest" is one of those legal "unruly horses" which can mean all things to all people. It is true, too, that the courts may in the past have occasionally inter-

preted the phrase more restrictively than journalists would like.

But there is ample precedent in our law to justify the assurance that the examples on which Mr Owen relies to make his point — the English thalidomide case, the "Muldergate" exposés and of corruption generally — would certainly be deemed to be in the public interest.

Should the courts find them not to be so, then journalists can rightly claim that their freedom is being unduly fettered. But, at this stage, the Appellate Division has merely brought the law to the point where private corporations and political parties have been granted the right to prevent disclosure of information and damaging allegations from which the public will derive no real profit.

These developments may be open to abuse. The courts will be rightly condemned if they allow crooked corporations and political parties to profit from secrecy.

Whether they will have that effect remains to be seen. But at this uncertain stage of our legal development, I would rather leave their application to the courts than entrust control of the media to the new lawmakers.

● *John Grogan is professor of law at Rhodes University*

Star 16/3/93

Trust provides lifeline for independent publications

By Sven Lünsche

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Independent newspapers and magazines have received a lifeline with the formation of a financial trust fund, at a time when many of them are losing overseas backing.

The Independent Media Diversity Trust (IMDT) was launched yesterday when its board of trustees held its first official meeting in Johannesburg.

Witwatersrand Metropolitan Chamber head Dr Frederik Van Zyl Slabbert, who was elected chairman of the 16-member board, said it was vital that the independent media were supported and encouraged because many of the publications were already facing financial crises.

The IMDT has re-

ceived a R1 million kick-off from four commercial media groups — Argus, Times Media, Nasionale Pers and M-Net — and mining house JCI.

However, Slabbert stressed that local and overseas funders would be approached for contributions so that a respectable and viable financial base was available to the trust.

In its preamble, the IMDT stressed that independent publications would receive the backing of the fund if they were threatened with closure as a result of the withdrawal of overseas funds.

Publications would be assisted in terms of business plans agreed to by the publication and the trust.

Financial backing would not be extended to

newspapers controlled by political parties or owned by Johannesburg Stock Exchange-listed public firms.

Argus Holdings chief executive Doug Band, a key member of the trust's steering committee, said at the launch: "If a democracy is to be built in South Africa, one constituent is finding a mechanism to foster and grow the diversity of media voices already in existence."

Speaking on behalf of the independent publications, South editor Guy Berger said the health of the newspaper industry depended on the diversity of the media.

"The support of the IMDT will help us in our role as an independent watchdog of current and future governments," he said.

STAR 16/3/93.

Police raid The Star offices

Staff Reporter

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Police yesterday raided The Star building in Johannesburg, the house of former assistant chief auditor Jaap Serfontein, and the Combined Artists company's *Carte Blanche* offices to search for documents relating to alleged corruption in the Department of Transport.

Serfontein conducted a three-month audit into the Department of Transport last year and the results of his investigation, which unearthed widespread corruption, were published in The Star last month.

Linda Vermaas, the producer of a *Carte Blanche* programme which broadcast

a feature on Serfontein on M-Net two weeks ago, confirmed their Houghton offices were raided

The searches followed a warning by the Auditor-General that Serfontein was still bound to the Protection of Information Act and might be charged.

Four members of the SAP's Crime Combating and Investigation Unit under the command of Captain M W. Boyley arrived at The Star with a search warrant at 10 am. They examined documents and files belonging to Star investigative journalist Jacques Pauw.

The warrant gave police specific authority to search for and remove documents, videos and tapes relating to

Serfontein's audit investigation. It was issued on the grounds that the State was seeking information relating to an offence allegedly committed in terms of the Protection of Information Act.

Police found no documents falling within the categories referred to in the warrant and left the premises.

The Star's editor-in-chief, Richard Steyn, said yesterday that the police behaved courteously and correctly but The Star would not be deterred in its efforts to uncover corruption in the Department of Transport.

At the same time as the raid at The Star, two police colonels and two captains conducted a similar search at the house of Serfontein in Capital Park, Pretoria

512198

Bid to save 'free' press

■ New trust fund formed

INDEPENDENT publications have received a new lifeline with the formation of a financial trust fund.

The Independent Media Diversity Trust was launched in Johannesburg yesterday when its board of trustees held its first official meeting.

This comes at a time when many independent newspapers and magazines are losing the financial backing of overseas funders.

Witwatersrand Metropolitan Chamber head Dr Frederik Van Zyl Slabbert, who was elected chairman of the board, said it was vital that the independent media "be supported and encouraged" as many were already facing a financial crisis.

The IMDT has received a R1-million kick-off from four commercial media groups - The Argus, Times Media, Nasionale Pers and M-Net - and mining house JCI.

In its preamble, the IMDT stressed that independent publications would receive the backing of the fund if they were threatened with closure as a result of the withdrawal of overseas funding.

Publications would be assisted in terms of business plans agreed to by the publication and the trust.

Backing would not be extended to newspapers controlled by political parties or those that have been listed on the Johannesburg Stock Exchange.

Argus Holdings chief executive Doug Band, a member of the steering committee behind the formation of the trust, said: "If a democracy is to be built in South Africa, one constituent is finding a mechanism to foster and grow the diversity of media voices already in existence."

news in brief

Cops raid Star

POLICE swooped on *The Star* building this morning to search for information relating to reports carried in the newspaper about alleged corruption in the Department of Transport

Four members of the SAP's Crime Combating and Investigation Unit arrived with a search warrant at 10am and began rifling through documents and files belonging to *Star* investigative journalist Jacques Pauw

The warrant, issued in Johannesburg on Friday, gave police specific authority to search for and remove documents, videos or tapes relating to audit inspections undertaken by the Department of Transport.

After searching the premises, police found no documents falling within the categories referred to in the warrant and left the premises

— *Sowetan Correspondent*

Lawyer 16/3/93

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BIP 16/3/93

Police search Star (243)

THE Star newspaper offices in Johannesburg were searched by police yesterday, in connection with reports on corruption in the Transport Department.

A search warrant was issued on Friday on the grounds that the state was seeking information relating to an offence allegedly committed in terms of the Protection of Information Act. Nothing was removed from the premises.



Agony and ecstasy of a prudent censor

Sowetan 16/3/93.

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GOD frequently falls victim to the censor's pen in South Africa

But the F-word just as frequently escapes scrutiny because it's felt to be the way people speak these days

White women's nipples too are acceptable fare for a nation where a few years ago the only bare breasts on show were those in "tribal events"

But pubic hair is still a problem because, in the words of Mr Braam Coetzee, South Africa's Director of Publications, "it is a more sensitive area than bare nipples"

Christian complaints

"Bad language is more acceptable than blasphemy," said Coetzee, who adds that most complaints he receives come from Christian fundamentalists

"We don't allow blasphemy or the vain use of the Lord's name," he said "After all, 77 percent of the population is Christian

"We are trying to strike a reasonable balance between what an ultra-conservative and an ultra-liberal person might think," said Coetzee

Coetzee said a recent advertisement for people to work as part-time censors met with an overwhelming response from citizens keen to carry out their civic duty

Prudence was not responsible for the avalanche of applications, which were being carefully sifted, he said

Officials say the task force is open to and representative of all South Africa's

■ **Bad language is more acceptable today than blasphemy, says censor:**

diverse communities

Actor Clint Eastwood's frequent use of the word "Goddamned" in the recent screening of a Dirty Harry film met with the censor's displeasure

"If a criminal or a gangster was using swear words we would probably leave it if it was considered necessary for the development of a plot or theme," said Coetzee

"There has been a big increase in the F-word for instance. It has become more acceptable within society. It's an unfortunate fact that some people speak that way"

Coetzee said nudity too had to be considered in context

"There has been a considerable relaxation in public attitudes to nudity here. We even have nude beaches and nudity is acceptable in films as long as its portrayal is not licentious," he said

There were more restrictions on magazines than films, he said. Bare nipples were acceptable in the printed medium but pudenda were not

Claudia Bossard, editor of South Africa's *Penthouse* magazine, said a lack of firm guidelines made life difficult

"We had an issue banned because a model 'was looking invitingly at the camera'," said Bossard, adding that the ban was revoked on appeal

"We find ourselves in the business of self-censorship but we push the parameters at times," she said, adding that her magazine had talked to church leaders worried that its contents might harm public morals. However most people were not offended

"We get letters from people saying they prefer our girls semi-clothed. They don't want them totally naked," she said.

Professor Sybrand Strauss of the Dutch Reformed Church said he would like to see *Penthouse*, bad language and screen nudity outlawed

Permissive society

"There is no doubt South Africa has become very permissive. I am thankful that when I was a young man such things were not available," said 45-year-old Strauss

"We would like the Government to be the moral guardian of the nation and, because the authorities are in the service of the Lord, they are bound by his laws," said Strauss, whose group claims 3 million members

"Our advice to our members is not to look at these things and to obey the Lord's commandments. It's the Government's responsibility to protect us from pornography" - *Sapa-Reuter*

Police search newspaper

JOHANNESBURG. — The Star newspaper offices were searched by the SAP Crime Combating and Investigation Unit yesterday in connection with reports on corruption in the Department of Transport.

(243) CT16/3/93

TML likely to close Executive magazine

TIMES Media Limited was likely to close down its monthly glossy business magazine The Executive and move Leadership magazine to Cape Town, sources said yesterday. *B/D/M 17/3/93*

Both magazines are published by Leadership Publications, which is jointly owned by TML and Leadership founder Hugh Murray

TML MD David Kovarsky said yesterday it was likely that Leadership magazine would be moved to Cape Town, with Murray having responsibility for the magazine. A decision on The Executive would be made soon, he said

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MARCIA KLEIN

Executive staff members had been told a decision would be made towards the end of the week. Sources said The Executive, which had a circulation of about 10 000, had been struggling for years to make money. The Executive was launched in July 1988 as an offshoot to the Financial Mail under managing editor David Williams. In 1989 TML bought 50% of Leadership Publications, which in turn bought The Executive. It was believed a decision would also be made soon on whether TML would publish Playboy.

Fight for Finance Week turns nasty

CAPE TOWN — The fight for control of Finance Week has turned nasty with claims and counter-claims for defamation either lodged or intended by the opposing parties. *BIDAM 1713/93*

The fight is over the 7 610 Finance Week shares (26,7% of the share capital) held by the liquidated Tollgate Holdings group

Publisher of Company-Auto Stuart Murray said yesterday he had issued two writs in Johannesburg claiming R450 000 and R150 000 respectively from Finance Week editor Allan Greenblo and the magazine. He said the claims arose out of articles written about him in Finance Week.

Greenblo's attorney Hilton Mer confirmed yesterday that a claim for R450 000

~~275~~
LINDA ENSOR

had been received. *243*

"Appearance to defend has been timeously entered and the action is being defended," Mer said. It was understood also that Greenblo would lodge a counter-claim against Murray for defamation.

Meanwhile, no finality has been reached on the issue of whose offer to purchase the Finance Week shares would be accepted

Greenblo claims to have a pre-emptive right to the shares and said previously that the articles of association of the company empowered its directors to refuse to register shares if they considered the shareholders to be unsuitable.

Star 18/3/93 TML coy over magazine closure

Times Media Limited executives were evasive yesterday about speculation that it was considering closing down its business magazine. The Executive

TML managing director David Kovarsky said the matter was still being considered, with a decision due tomorrow

Friday would also be D-Day for TML to decide whether to move Leadership magazine to Cape Town and whether to publish Playboy magazine, he said.

The Executive and Leadership are published by Leadership Publications, which is owned by TML and Leadership founder Hugh Murray — Sapa

The first satellite office was set up in partnership with the South African Police at the Ormonde shopping centre, south of the city

Each area is headed by a chief superintendent whose brief is to follow an open-door policy to build good community relations

"Getting a closer view at neighbourhood level of the routes commuters take to work,

and the SA Police on successes in combating crime.

for instance, will help our officers better direct their efforts at keeping peak-hour traffic flowing freely and safely"

The traffic department has also set up an electronic answering system to take after-hours reports and complaints from the public. For traffic matters, phone 490-1530; to

Star 18/3/93 Jo'burg housing development kicks off

The Johannesburg City Council has decided to go back to the business of providing housing and will kick off with a R6,3 million development at Eldorado Park.

"This will be the first major step in implementing the council's decision to play a more ac-

tive role in developing housing instead of confining itself to a facilitating role," commented councillor Marietta Marx, who chairs the health, housing and urbanisation committee

Each unit in the planned development in Eldorado Park extensions 3 and 7 will cost

R35 000, inclusive of land, service connections and transfer costs

Planned explicitly for sale and not for rental, the development will allow potential buyers to choose the design that appeals to them from a range of show houses. — Staff Reporter

area, Charlotte Stuurman, City Deep, Westgate and City and Suburban, "Delta" the downtown area, "Alpha", Fordsburg, Cotteloe, Milner Park and Braamfontein, "Bravo" area, covering Hillbrow, Berea, Doornfontein, Troyeville, Bellevue, Yeoville and Judiths Paarl, the remaining eastern and north-eastern suburbs plus a bloc of the north from Parktown to Parkwood form "Hotel"

The north-west and the northern suburbs around Parkhurst, Craighall, Rosebank and Melrose fall within "Echo"

WM television series

begins next week

Weekly Mail Reporter

THE first independently-produced current affairs series ever commissioned by SABC's TV1 will be broadcast next Sunday.

A contract was signed this week between TV1 and Weekly Mail Television for a series, entitled *Ordinary People*, of seven half-hour actuality programmes. The first will be broadcast at 9pm on Sunday, March 28, just after *Agenda*.

The series will focus on the involvement of a range of people — a policeman, perhaps, a mineworker, a teacher — in events shaping South Africa, according to co-executive producer Jonathan Miller. Programmes will feature ordinary people living in extraordinary times. "Wherever you stand in relation to an event or an issue, your vision of it has a coherence and a history. We believe that television in South Africa has filtered out that history. We want to show the richness of the way ordinary people experience the world."

Weekly Mail Television (WMT) was launched late last year as a joint venture between *The Weekly Mail* and Free Film Makers, an association of anti-apartheid filmmakers established a year after *The Weekly Mail* was founded. Its members have been making films since 1986 for British, Dutch, German and other television services.

The series has drawn some fire from the African National Congress, whose representative Gill Marcus last week called it "premature". Though the ANC would like to see a percentage of all programmes produced by independents, ensuring diversity in news and views, she characterised the SABC-WMT agreement as a cosmetic action by the SABC to gain credibility in the run-up to an election. The SABC "is still involved in manipulation and control of news and current affairs programmes".

"We can understand their concerns," says *Ordinary People* producer Harriet Gavshon. "But from our understanding of the way things go, you don't wake up one morning to find that things have changed. Institutions change under pressure from without and within. The Campaign for Independent Broadcasting has taken a position on this: while broader negotiations are going on, producers are welcome to produce. We can't stop making films because everything is in negotiations."

The Guardian Weekly



The Executive may live on

By Day 19/3/93
Business Day Reporter

TIMES Media Limited's (TML's) monthly business magazine, The Executive, was unlikely to disappear as a title, and consideration was being given to circulating it as a quarterly supplement to the Financial Mail, according to Financial Mail editor Nigel Bruce.

The Executive would then no longer form part of Leadership Publications, acquired from Churchill Murray in its entirety in July 1991. Previously TML and Churchill Murray were partners in the venture.

TML was also considering the possibility that Churchill Murray Publications would produce Leadership on a contract basis, with founding editor Hugh Murray assuming its editorship again. (243)

These moves form part of the reorganisation of TML's business magazines, which include Financial Mail's Computer Mail magazine being taken over by Thomson Publications, a TML company with other computer-related interests.

Signature, published by TML for Diners Club, would remain the Financial Mail's responsibility. (243)

The arrangement between the Financial Mail and The Executive is expected to enhance the latter's profitability.

Alternatives press ahead with trust

SOUTH 20/3-24/3/93.

THE cash-strapped alternative press gained a chance to achieve commercial viability this week with the launch of the Independent Media Diversity Trust (IMDT) in Johannesburg

Argus company chief Mr Doug Band announced a donation of R1 million from profitable newspaper companies, including his own and Naspers, to the trust

Support for the IMDT by the mainstream press arises from their interest in securing the survival of the existing range of publications

Band said the IMDT aimed to help South Africa's less-established publications shift from external financing towards self-sufficiency

Efforts by the alternative press to succeed in a recessionary marketplace are currently threatened by undercapitalisation combined with a decline in foreign funding

Trust chairperson Dr Frederick



Frederick van Zyl Slabbert

van Zyl Slabbert said the record of the alternative press showed that it was required during and after the transition to democracy

SOUTH editor Dr Guy Berger said South Africa needed not only a level political playing field, but also a power supply to the media spotlights that lit up the action

"Otherwise, there will be foul play, the referee is likely to be mugged and the takings at the gate could end up in private

pockets," he warned.

The IMDT is the product of 18 months' of consultations between SOUTH, New Nation, Weekly Mail, Work in Progress magazine, and other publications, as well as with the mainstream press

Cape Town-based trustees are Prof Njabulo Ndebele (vice-rector of the University of the Western Cape), Mr Anthony Heard (former editor of the Cape Times), Ms Helen Zille (consultant), Prof H Grosskopf (professor of journalism, University of Stellenbosch), Adv Dawid de Villiers (prominent legal figure) and Mr Jolyon Nuttal (of the Independent Development Trust)

Other trustees include Standard Bank chairperson Mr Div Geering and Ms Zanele Mbeki of the Women's Bank

Support for the trust has come from the world newspaper industry body, FIEJ, and the International Federation of Journalists

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Weekly Mail is *STimes* breaking *21/3/93* into TV

By GWEN GILL *243*

WHEN TV viewers settle in front of their sets at 9pm next Sunday, they'll be witnessing a breakthrough in South African broadcasting. *243*

Instead of the ~~normal~~ tightly controlled current affairs programmes that we're used to seeing, next week's programme — the first in a series of seven — will be independently produced by the Weekly Mail newspaper and Free Film Makers.

Weekly Mail TV co-executive producer Anton Harber, who is also co-editor of the newspaper, said this week: "We have signed a contract that ensures our independence and we have an assurance from the most senior authorities in the organisation that they will not interfere in what we do, provided we remain within the law and are fair, balanced and ethical." *21/3/93*

Mr Harber said it took six months to conclude the deal.

The WMTV series, called *Ordinary People*, is described by the producers as "current affairs from the bottom up". The aim is to let the man in the street speak out on the issues of the day.

Each week the programme will spotlight three ordinary South Africans whose daily lives will be followed by camera crews.

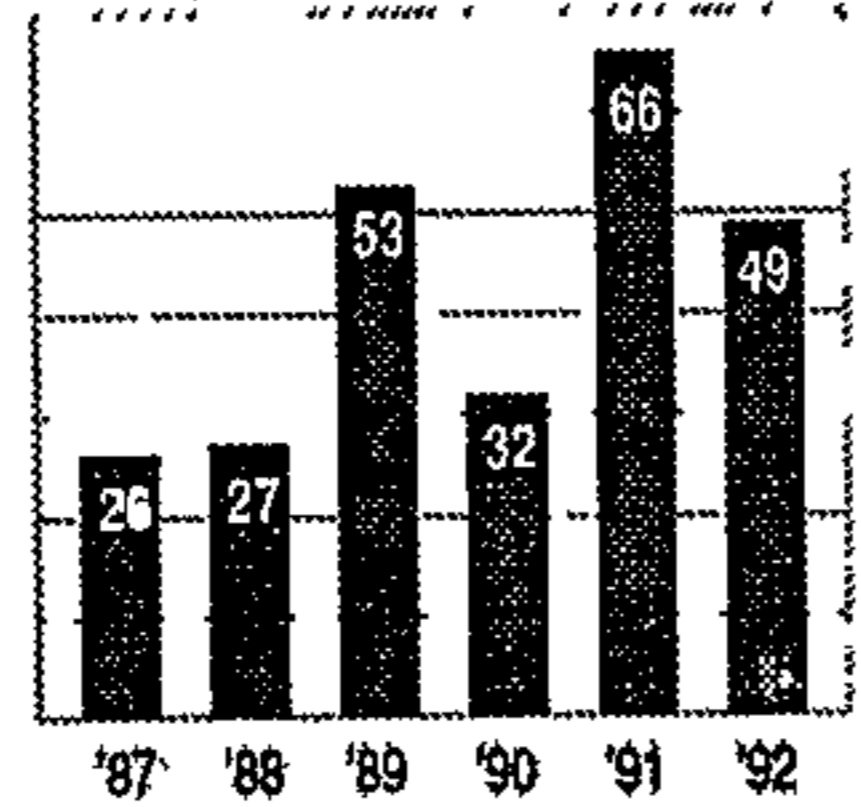
Harriet Gavshon, who has worked for overseas broadcasters for many years, will produce the show and Clifford Bestall, who won the Royal Photographic Society's best TV cameraman of the year award in 1986, will direct.

Union looks to the safety of journalists

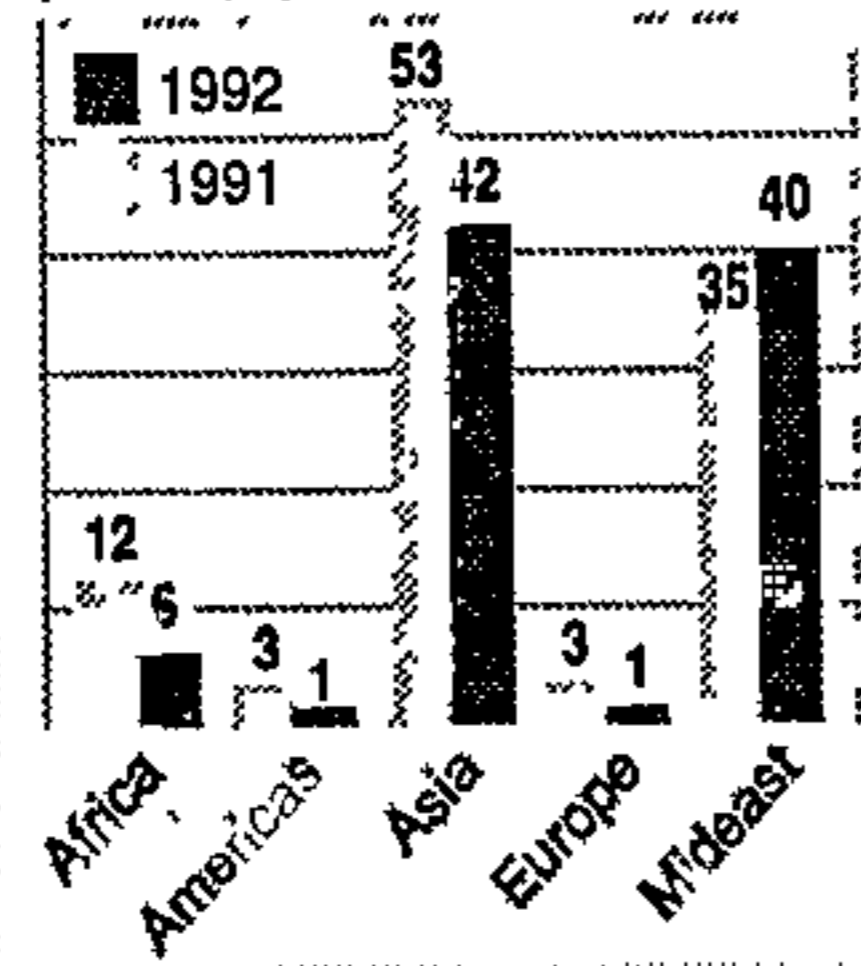
243

Journalists in jeopardy

Journalists killed and missing worldwide, by year:



Journalists held prisoner, by region:



ANDREA WEISS
Staff Reporter

JOURNALISTS are taking seriously an increasing risk of attack as they go about their daily duties. *ARC 19/3/93*

The most recent attack happened early yesterday when knifemen attacked a news photographer in Natal

Daily News photographer Steve Naidoo was taking pictures of pensioners to illustrate a story on parity in pensions

He was saved by pensioners who rushed forward to help him when they heard his screams as he fought off four attackers

An SA Union of Journalists spokesman said 50 journalists were assaulted in South Africa last year alone

The Conference of Editors is also worried about the increasing use of intimidation, boycotts and assaults against newspapers and journalists

In response to this threat to personal safety, the union has

organised a series of workshops on how journalists should conduct themselves in dangerous situations.

Venues include Umtata, where the Daily Dispatch's offices were recently occupied by the Pan Africanist Congress, and Port Elizabeth, where newspapers were burned outside the offices of the Eastern Province Herald and Evening Post.

Other venues, including Johannesburg, East London, Durban and Cape Town, are likely to deliver different scenarios — from the strife-torn Vaal triangle townships to the killing fields of Natal

International Federation of Journalists safety officer E Lee Woodyear will be presenting the courses

Topics to be addressed are how to approach potentially dangerous situations, awareness of what attracts attention to journalists, what is likely to anger people and what to do when things get out of control

TML confirms plans to publish Playboy

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TIMES Media Ltd has confirmed that it plans to publish Playboy.

TML MD David Kovarsky said the new publication was part of a rejuvenation of the company's magazine division, which would see The Executive being published on a quarterly, instead of monthly, basis.

Kovarsky said it was envisaged that Playboy would be launched in the fourth quarter of this year. The decision to publish the magazine was based largely on the success of the SA version of Penthouse.

Kovarsky said Playboy would "follow the same moral standards" adhered to by Penthouse and would target more or less the same market. He predicted it would take about three years for the magazine to show a profit.

Kovarsky also an-

KELVIN BROWN

nounced that The Executive would in future appear as a quarterly supplement to the Financial Mail.

The Executive would concentrate on exploring the reasons for the success and failure of business undertakings and the challenges facing managers.

The Executive's present editor Jeremy Gordon would edit Playboy. Financial Mail's magazine section managing editor Tony Koenderman would edit The Executive.

Leadership magazine would also change. The magazine would be edited and managed by founding editor Hugh Murray and would be repositioned.

TML subsidiary Thomson Publications would in future publish FM's Computer Mail supplement.

22/3/93
L/10/1

Title of Publication	Printer	Production cost (per annum)
Official Yearbook	Creda	R 453 514
Puisano	Naspers	R 448 550
Umso	Naspers	R 77 549
Ligh/Khanya	Aurora	R 85 688
Karet	Paarl Post	R 96 207
Vision	Leader Press	R 80 000
Izandaba	Leader Press	R 4 246
Metropolitan Digest	Perskor	*R 3 480
This is South Africa	CTP	R 152 790
Desk Calendar '93 (A/E)	Promedia	R 229 445
Annual report '91	CTP	
SA Profile	CTP	
Tuyuhys (A/E reprint)	CTP	
Muslims of SA	Aurora	
SA—invest in mineral industry	CTP	
Conservation in SA	CTP	
The Old Raadsaal (A/E) (brochure and pamphlet)	V en R (client chose printer)	
SA Government's approach to the constitutional process (A/E)	CTP	
National Communication Policy and Strategy (A/E)	CTP	
SA—A Glimpse	Government Printer	
SA at a Glance	CTP	
Education newsletters.	Government Printer	
Information to parents		
Information document for teaching staff		
Information for management councils, personnel, parents and other interest groups		
Vroue Insig	Perskor	
Lux Femina	Hooi Stadpers	
Soshanguve News	Printed by TPA	
Moutse News	Printed by TPA	
Refilwe News	Printed by TPA	
Orange Farm	Perskor	
Kwa-Thema	Perskor	
Duduzani Nuus	Perskor	
Evaton News	Perskor	

(c) The total cost of producing the above-mentioned publications amounted to R4 559 936, set out as follows

Title of Publication	Production cost (per annum)
SA Panorama (A/E)	R 453 514
Southern Africa Today	R 448 550
RSA-Belidssoorsig	R 77 549
RSA Policy Review	R 85 688
RSA-Belidssoorsig/RSA Policy Review	R 96 207
Beleidsgrids/Policy Review	R 80 000
Amptelike Jaarboek	R 4 246
Official Yearbook	*R 3 480
Puisano	R 152 790
Umso	R 229 445

Title of Publication	Production cost (per annum)
Ligh/Khanya	R 430 545
Karet	R 372 111
Vision	R 162 354
Izandaba	R 94 663
Metropolitan Digest	R 195 637
This is South Africa	*R 392 000
Desk Calendar '93	R 119 000
Annual Report '91	R 10 500
SA Profile	R 31 250
Tuyuhys (A/E reprint)	R 30 000
Muslims of SA	
SA—invest in mineral industry Conservation in SA.	Financed by the Department of Foreign Affairs
The Old Raadsaal (A/E) (brochure and pamphlet)	Financed by the Department of Foreign Affairs
SA Government's approach to the constitutional process (A/E)	Financed by Education and Culture
National Communication Policy and Strategy (A/E)	
SA—A Glimpse	R 7 950
SA at a Glance	R 6 000
Education newsletters	R 600
Information to parents	Financed by the Department of Foreign Affairs
Information document for teaching staff	Financed by Education and Culture. House of Assembly
Information for management councils, personnel, parents and other interest groups	
Vroue Insig	R 14 701
Lux Femina	R 19 743
Soshanguve News	
Moutse News	Financed by TPA
Refilwe News	Financed by TPA
Orange Farm	Financed by TPA
Kwa-Thema	
Duduzani Nuus	R 3 415
Evaton News	R 777
	R 3 207
	R 3 884

* The print order as requested by the Department of Foreign Affairs of 7 600 for the *Official Yearbook* and of 112 300 for *This is South Africa* lowered the unit cost

(2) All arrangements for printing were made via the Government Printer, who handed out the regular publications on tender and contracted out most of the ad hoc publications in accordance with Government Printer Contract (GPC 77). Further details are available from the Government Printer

Radio 702 tunes in to Finance Week

RADIO 702 has stepped in to become a substantial minority shareholder in Finance Week (FW) in a R520 000 deal which is the culmination of months of speculation on the magazine's future. (243) (272)

However, there was confusion yesterday about the implications of the sale to 702. Neither TGH liquidator, Progressive Administration's Chris van Zyl nor major creditor Absa were informed of the move, they said

Finance Week Holdings (FWH) has issued 8 000 new ordinary shares to Radio 702 Publications — the wholly owned subsidiary which houses Radio 702's print interests — at R65 a share. FW editor Allan Greenblo and Radio 702 MD Stan Katz said yesterday this gave Radio 702 Publications a holding of just under 22% of the enlarged share capital. The shares were issued for cash

BIDAY 23/3/93
MARCIA KLEIN
and LINDA ENSOR

Greenblo revised his initial offer of R65 a share down to R35 after a dispute over the terms of the tender. Greenblo said the liquidator had asked for a revised offer, adding that he was not prepared to offer more than the net asset value of FWH as any premium over net asset value would represent goodwill arising from himself and his staff

"I am uncertain as to what is going on and it is hopelessly premature for me to comment at this stage," an Absa spokesman said.

TGH liquidator Van Zyl said he could not comment on the development until he had clarity on which company had issued the shares. If new shares were issued by FWH

thereby whittling down the rights of TGH, then he might have to consider taking action

He did not believe that FWH was entitled to issue shares without consulting its shareholders and believed that TGH, as a major shareholder in FWH, should have been informed. In fact he had been given an undertaking by FWH that he would be kept informed of any transactions

Company Auto publisher and contender for TGH's Finance Week shares, Stuart Murray, said the development had come as a bit of a shock. "As far as I know no shareholder has been informed of the move"

Murray said he had referred the matter to his legal advisers to ensure that the Finance Week/702 deal was not pre-emptive of the outcome of the auction of TGH's Finance Week shares

Star 23/3/93

Radio 702 takes stake in Finance Week

By Derek Tommey

Radio 702, SA's only independent broadcasting company — and its most profitable, with advertising billings of R33 million a year — is to take a 22 percent stake in Finance Week, an independently owned business publication.

Stan Katz, managing director of Radio 702, said yesterday the move was in line with his company's aim of investing in premium publications with identifiable potential in view of the limited scope for enlarging its electronic media operation.

He said the link-up between the two operations was a good fit. Both shared a strong culture of independence and both had the same target markets. He said the move would strengthen



From left: Ronnie Taurog (chairman, Finance Week Holdings), Allan Greenblo (editor, Finance Week), Stan Katz (MD, Radio 702) and Issy Kirsh (chairman, Radio 702)

Finance Week

It is the second venture by Radio 702 into the print media. It recently acquired joint control in a company about to launch the US publication, Longevity, in SA.

The magazine is aimed at

people in the 35-45 age group and shows them how to "get more living out of life".

Allan Greenblo, managing director of Finance Week Holdings and editor of Finance Week, said that Radio 702 had bought 8 000 shares in the com-

pany at R65 a share — making a total investment of R520 000.

It meant that Finance Week would gain an active partner in a complementary field, he said.

Radio 702 will have two of Finance Week Holdings's five directors, but its influence on editorial policy will be at arm's length. RD Taurog will remain as chairman.

Radio 702 Publications and Greenblo will have joint control of Finance Week.

Operational management of Finance Week, in the hands of senior staff under Mr Greenblo, will continue as before.

Greenblo said the deal was first mooted in January when Rand Merchant Bank approached Finance Week about acquiring an outside shareholder.

Star 24/3/93

**43 publications
cost R4,6-m**

CAPE TOWN — SA Communication Services had published 43 publications last year at a production cost of R4 559 936, Communications Minister Roelf Meyer said.

The majority of the publications were printed by ABC, Perskor, Promedia, Aurora, Creda, Naspers, Paarl Post, Leader Press and CTP. — Sapa.



Roelf Meyer . . . who published for SA Communications

Police newspaper search condemned

Star 24/3/93

(243)

A police search of The Star's offices has been condemned as a violation of journalistic independence by the largest organisation representing journalists worldwide.

The files of Jacques Pauw, an investigative reporter, were scrutinised by detectives last week following the publication of a report about Department of Transport subsidies to a Bophuthatswana bus company. The article questioned the business relationships of Transport Minister Dr Piet Welgemoed and some other South African Government officials with the company.

"The (police) action ... supported by the Protection of In-

formation Act, violates the fundamental right of journalists to gather and disseminate information," the International Federation of Journalists said in a statement yesterday. "It further violates the journalists' duty to observe professional secrecy regarding the source of information."

The professional integrity and independent role of journalism had to be respected to ensure a democratic and pluralistic Press.

The IFJ also called on the South African Government to provide a legal framework to ensure freedom of information and access to sources of information. — Sapa

Star 24/3/93

TML decision on Executive

The business magazine The Executive will not close down, but will become a quarterly supplement to the Financial Mail, Times Media Limited managing director David Koyarsky said.

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(18)

Mugabe Star 25/3/93 estate bid 'insulting'

By Robin Drew
Star Africa Service

HARARE — Most Zimbabweans feel insulted by the actions of the South African Times Media group, whose correspondent here has instituted court action to make public the contents of the estate of President Mugabe's wife Sally, who died last year, the semi-official newspaper, The Herald said today

The matter is still before the Supreme Court.

The Herald said in an editorial that tradition dictated that the estate of the deceased was the business of close members of the family

It asked what interest the South African public had in this matter to the extent of putting up money for the court action.

If the South African newspapers had brought the action in their own name, it said, they would have been required to pay large amounts in foreign currency in deposits

"By hiding behind the apron of a Zimbabwean willing to act on their behalf they have avoided the huge costs they certainly would have incurred.

"Such loopholes need to be plugged so that we cannot again be subjected to such stupidity"

The action against the Master of the High Court was brought by the newspaper group's correspondent, Michael Hartnack, whose application to the High Court through a judge in chambers was rejected on technical grounds.

Lawyers took the matter to the Supreme Court as a matter of urgency because the accounts, which have been open for inspection by interested parties, are due to be closed tomorrow.

CHANGES FOR TML MAGAZINES

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Times Media has embarked on a plan to rejuvenate some of its magazines and enhance their profitability, says Times Media Ltd (TML) MD David Kovarsky.

Leadership magazine will again be edited by its founder, Hugh Murray, but on contract. He will reposition it as a dynamic window on SA's emergence as a broader democracy and the economic powerhouse of the subcontinent. Though remaining a wholly owned TML publication, it will be produced in the Cape Town offices of Churchill Murray Publications.

TML's monthly business publication *The Executive* will be published as a quarterly supplement to the *FM*, focusing on reasons for the success and failure of business undertakings.

It will be edited by the *FM*'s editor responsible for magazines, Tony Koenderman, who also edits the quarterly pub-

lication on personal financial planning, *Personal Wealth*.

The Executive will offer readers insight into entrepreneurial management and offer advertisers the benefit of the *FM*'s greater circulation. Advertising will be sold by a dedicated in-house team instead of an outside group.

Subscribers will be able to get a refund or choose a subscription to *Leadership* or the *FM* to the extent of their subscriptions.

Jeremy Gordin, current editor of *The Executive*, will edit *Playboy* for TML.

The monthly *FM* publication *Computer Mail* will be published by Thomson Publications, a TML division that has other computer publications. *Computer Mail* will continue to be edited by Gerhard Slabber and will be distributed with the *FM* for a year.

FINANCE WEEK ^{FM 26/3/93}
The fur is flying (243)

Finance Week editor Allan Greenblo, who owns about 14% of the magazine, has been loud in his dismay at not having acquired a share of M-Net. This week's deal with Radio 702 is certainly no substitute, but whether he'll be satisfied remains to be demonstrated.

This week he announced that *Finance Week* had issued 8 000 new, ordinary shares to Radio 702 Publications, a print subsidiary of the Bophuthatswana-based radio station. For R520 000 in cash, Radio 702 picked up a holding of almost 22% of the enlarged share capital. Greenblo will keep editorial control and Radio 702 will get two seats on the enlarged five-member board. ^{26/3/93}

Greenblo says the move gives the magazine "an active partner in a complementary field." For Radio 702 the deal "further implements its strategic decision to acquire interests in premium publications with iden-

FM 26/3/93 (243)
 tifiable potential."

But those who have been following the *Finance Week* saga see this as one in a series of attempts by Greenblo to keep control of the 15 383-circulation magazine, the smallest of SA's three weekly business magazines. Last week he made a R35/share bid for the 7 610 shares that have become available since the liquidation of Tollgate Holdings. He will not say whether his bid was accepted. "I'm afraid I can't say anything. My lawyers say don't fight it out in the media."

The magazine, based in Sandton, was founded in 1978 by Greenblo, Richard Rolfe and Stuart Murray. Rand Merchant Bank bought out Murray in 1986. Rolfe, who has since moved overseas, and Lynne Hill (wife of forex fugitive Oliver Hill) sold their 31% stake to Murray early last year. Murray, however, has tried without success to get the board to register some of the shares he bought for R1 each. He says he was not notified of the new share issue.

"I consider myself a beneficial shareholder but not a registered shareholder," Murray says. "It would have been nice to know what this was all about. I don't have any complaints against the rationale behind the Radio 702 deal in principle, only its execution."

Murray, the chairman of Johannesburg-based Co-Auto Publishers, says Greenblo told him he had no problem with his purchase of the 31% minority shareholding. But, he adds, at the time "nobody expected Tollgate to go belly up and throw 26% on the market." He says that's when the "fur started flying" because he decided to go for the controlling interest. He put in a bid of R80 per share, which was not accepted.

Greenblo originally offered R65 a share, but cut it to R35 when the Tollgate liquidator, Chris van Zyl, decided that any offer had to abide by *Finance Week* Holdings' articles of association. The articles require that any shares that are purchased must first be offered to existing shareholders on a *pro rata* basis. That means a buyer could find himself without any shares.

"The liquidator and Absa, Tollgate's main creditor, should go to court and seek a legal decision on how it can be sold," Murray says. "The court should test the validity of the articles of association."

Murray, who publishes motoring, trucking and sailing magazines, says he never intended to replace *Finance Week's* existing staff, including Greenblo. "That's not business," he explains, "that's comic book stuff." Well, he said it. ■

Last days of Transvaler

By JAN TALJAARD

DIE TRANSVALER, established in 1937 and once the most important mouthpiece of the National Party in the Transvaal, is soon to be no more.

The last daily edition of *Die Transvaler* will come out on April 23; the paper will, however, resurface to some extent in the guise of a Pretoria-based weekly called *Die Noord-Transvaler Metro*.

Grand architect of apartheid Dr HF Verwoerd was the first editor of *Die Transvaler*, which was known for its strong Ossewa Brandwag sympathies during World War II.

When Nasionale Pers established *Beeld* as a Transvaal daily in 1976, it marked the beginning of the end for the once-proud paper, whose circulation has now dwindled.

Transvaler newspaper to close

THE last of the Afrikaans afternoon dailies, the Transvaler, is to close after more than 50 years

Publisher Perskor announced in yesterday's edition it would be replaced by a weekly newspaper aimed at Pretoria, and another serving the rural northern Transvaal market.

The date of its last edition has not yet been established, although it is understood that advertising commitments will keep it going at least until mid-April.

The new weekly, to be called the Noord-Transvaler Metro, will appear in Pretoria on July 2

B/DAM 26/3/93

GAVIN DU VENAGE

Perskor said the changes were part of a strategic repositioning programme that would be expanded and developed, but gave no details

Last year circulation of the Transvaler was 41 000-42 000 copies each day. In 1990 it was selling almost 50 000 copies a day.

At the end of 1988 the paper amalgamated with Die Vaderland, whose sales had also fallen.

More than 40 editorial staffers will be affected. No indication was given of how many would be transferred, nor of retrenchments.

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Transvaler out
JOHANNESBURG. —
The Afrikaans-language
daily newspaper, the
Transvaler, will be
closed and replaced by a
weekly newspaper
aimed at the Pretoria
and rural Northern
Transvaal market, its
publisher Perskor said
yesterday. — Sapa

We must know what's the buzz beyond earshot

Star 27/3/93

THE latest buzzword in negotiating circles is 'transparency'. It was invented by SACP chairman Joe Slovo last May, has been the subject of furious debate ever since, and will be decided upon early next week. Political Reporter ESTHER WAUGH tries to peer through the controversy.

SHOULD negotiations for a future South Africa be open to the public, like parliamentary proceedings? This is the core question of the "transparency" debate, now raging among the various parties' senior representatives at multiparty talks

Until now, journalists have been allowed to watch and report on the plenary sessions of Codesa only — but some delegates want to throw the doors open to all meetings. A decision on the question is expected to be taken on Tuesday when the Negotiating Council meets at the World Trade Centre in Kempton Park

The SACP's Joe Slovo is the main campaigner for the "transparent" approach. At Codesa 2 in May last year, he first proposed that the media be allowed at Codesa proceedings.

After Codesa's collapse, Slovo formally proposed at a management committee meeting that a pool of journalists be allowed to attend the committee's deliberations. At the time, he said, "monumental ignorance and confusion" existed among the public about Codesa — "We are perceived as a mysterious cabal".

Few negotiators were enthusiastic about his proposal and no decision was reached before talks were called off. The counter-argument from those opposing Slovo's idea was that negotiations were best conducted out of the glare of publicity, and that a press presence could encourage posturing rather than hard political bargaining.

Ironically, the lack of transparency thus far is underlined by the fact that it is impossible to say with any certainty who supported the opening up of the process and who was opposed to it — the discussions all took place behind closed doors.

Ten months later, the ANC, Inkatha Freedom Party and Government say they are in favour of a press presence at the negotiations. IFP negotiator Walter Felgate says that as a general rule his party believes negotiations should take place in a "glass house". The public has a right to know what their parties are ne-

gotiating on their behalf, he says.

Journalists, unsurprisingly, are all for being allowed in. In Codesa's early heyday it was not uncommon for even professional "Codesa watchers" to admit to being thoroughly confused, and they do not relish a repeat performance. Journalists would wait outside the negotiating chambers where the 400-plus negotiators took their tea breaks. Except for the occasional press conference by Codesa's management committee or by the organisations, these were the only opportunities to glean a hint of what was happening behind the closed doors

It was also not uncommon to get as many versions of the events as the number of participants one spoke to — with negotiators putting their organisations' particular spin on the events. This explains why some media would report a breakthrough on an issue — and others would simultaneously announce a deadlock

Before the multiparty planning conference earlier this month, concerns were again expressed that the presence of the media could lead to "grandstanding".

But Slovo again tabled his motion at a meeting of the Negotiating Council a week ago. Afterwards he said the issue would be placed "high up" on the agenda of Tuesday's meeting. Had this meeting been open to the media, say some negotiators, members of some of the parties would have seen the primitive views on women's participation held by their male representatives on the committee.

A compelling reason advanced by some in favour of opening the proceedings is that Codesa participants, especially the National Party and ANC, ran into serious difficulties with their constituencies while negotiations were being conducted in secret behind closed doors

The nature of the process dictates that serious obstacles be discussed in smaller committees out of the public eye. But, as Slovo insists, politicians at the World Trade Centre are not negotiating their own future but South Africa's. It is in the country's interests for the process to be transparent.

Circulation war ei in Transvaler clos

Star 21/3/93

(243)

THE Afrikaans daily newspaper, the Transvaler, is to be closed and replaced by a weekly newspaper aimed at the Pretoria and rural northern Transvaal market, its publisher Perskor announced on Thursday.

The move will affect more than 40 editorial staff members who were told on Thursday morning about the closure of the Johannesburg-based paper. The date of its last edition has not yet been established.

Circulation

Perskor said in Thursday's edition the move was the start of "a strategic project which will in time be deployed and developed further".

The project entailed establishing a new Afrikaans weekly, called the Noord-Transvaler Metro, in Pretoria and surrounding areas. The target date for the first edition is July 2.

In addition, the Noord-Transvaler Platteland will be established, effectively covering the northern Transvaal from

Pretoria to Messina near the Zimbabwe border

Perskor's board of directors said the move would best serve the interests of its readers, advertisers and the company's shareholders.

The Transvaler told readers its demise was partly due to a worldwide phenomenon that afternoon papers struggled to survive. It cited as an example the closure of Australia's last daily metropolitan paper almost two years ago.

It also pointed out that two other Afrikaans papers, Oosterlig and Volksblad, published by the rival Nasionale Pers group, had to switch from being afternoon papers to morning papers

The Port Elizabeth-based Oosterlig will soon be taken over by Die Burger, its sister newspaper in Cape Town, according to a Naspers staff member. Die Burger will, in future, publish an east Cape insert to serve those readers.

Transvaler's closure brings to an end a chapter in the battle for circulation between Naspers and Perskor, which started in the late 1970s with the establishment of the morning paper Beeld

Die Vaderland, Perskor's morning paper, lost out in that affair and was incorporated into the Transvaler.

A senior editorial staff member told reporters that even though rumours about the paper's closure had circulated for some time, it nevertheless came as a surprise to staff members.

"The mood is quite depressed," he said.

He said some staff members would probably opt to make the

move to Pretoria to work on the weekly while others would choose retrenchment packages. Several are members of the South African Union of Journalists — Sapa.

Playboy

● In other developments, reports MANDY JEAN WOODS, publishing giant Times Media Ltd this week confirmed it would be bringing girlie magazine Playboy to South Africa. Current editor of The Executive, Jeremy Gordin, would become editor of Playboy's South African edition, according to TML managing director David Kovarsky.

The glossy monthly business magazine, The Executive, would be published quarterly as a supplement to the Financial Mail and would fall under the FM's magazine section managing editor Tony Koenderman

Its sister publication, Leadership, would be moved to Cape Town and edited and managed under contract by founding editor Hugh Murray.

Computer Mail, published in the past as a supplement to the Financial Mail, would in future be published by TML subsidiary Thompson Publications

Students given views on SA

City Press 28/3/93

(243)

DRUM magazine this week hosted a group of 21 graduate students from the North-western University in Chicago at a breakfast panel discussion.

Drum executive editor Barney Cohen chaired the session, which was addressed by Black Management Forum chairman Zamane Jali, City Press editor Khulu Sibiyana, and Development Bank of South Africa general manager Junior Potlwana.

Jali spoke about the lack of skilled managers in this country and how the problem could only be solved by affirmative endeavours

on the part of South African corporations

He also pointed out that multinationals who operated here in the past could be accused of lacking sincerity and commitment.

City Press editor Khulu Sibiyana raised three major problems facing SA's economic recovery - namely lack of proper education and training, inadequate housing and lack of employment. He said it would be difficult for a future government to redress the backlog

Sibiyana said he believed a future South African government would

not go the way the rest of Africa has. "Our problems are being solved by an evolutionary rather than revolutionary means," he said.

Potlwana presented a statistical account of SA's socio-economic performance, touching on the issues of land distribution, ineffective farming methods, unproductive resources usage and lack of skilled management

The students are on a fact-finding visit sponsored by the University's Kelloggs Graduate School of Management and the Mendill School of Journalism

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Paper vans
fired on
in Transkei

APR 30 3 1973
EAST LONDON — A newspaper delivery van carrying copies of the Sunday Times and the Sunday Tribune has been fired on in Transkei

Police reported yesterday that the pre-dawn attack, near Qumbu village, happened shortly before the Transkei PAC told its members to boycott the Sunday Times and ensure it was not distributed in the region.

A grenade was thrown but exploded on the roadside. — Ecna.

Transvaler a weight off Perskor's back

Star 31/3/93

By Stephen Cranston

(243)

The closure of the Transvaler by Perskor has not prevented its share price trading on a high of R28, nor are there too many tears being shed in advertising agencies over the loss of another publication.

Paul Wilkins, media director of Grey Advertising, is surprised the Transvaler lasted as long as it did because its service to advertisers was almost non-existent.

He says the size of the market was not the problem, 3,9 million people claim Afrikaans as their first language, yet the combined circulation of the remaining Afrikaans newspapers is barely 200 000, and no more than the circulation of The Star alone.

Yet the circulation of Huisgenoot is more than half a million.

All three remaining Afrikaans newspapers are morning dailies and all are owned by Nasionale Pers, which is acknowledged to

have a more aggressive and effective sales team and a better editorial product.

Beeld also proved more receptive to the changing political climate and has been more in tune with the De Klerk era than was the more conservative Transvaler.

There was a note of resignation in the last Perskor annual report in its brief mention of the Transvaler.

"As circulation during the past year did not show the expected growth, canvassing of budgeted advertising became more difficult."

The losses in circulation wars with Beeld and the Pretoria News led to the closure of Ogenblad, Hoofstad, Vaderland and finally the Transvaler.

Yet Perskor is now showing signs of becoming a profitable printing and magazine business. Perskor's attributable earnings were up 80 percent in the year to

June and a further 26 percent in the six months to December.

So far this year, Perskor's share price has increased from R22,25 to R28, but it still lags well behind the other press groups in market rating, with a P/E ratio of 7,4 compared, with 12,8 for Argus and 10,5 for TML.

This is partly accounted for by Perskor's extremely high dividend cover, which is around ten times.

This has allowed Perskor to be almost ungearred, but even this has not added to its attraction much.

Indeed, much of Perskor's attraction is that it is a cheap way into M-Net.

Its 12,23 percent investment in M-Net accounts for 70 percent of the value of Perskor shares.

Perskor is now left with The Citizen, which, despite an increase in circulation to 135 000, has still not attracted the advertising support to make it profit-

able.

Conventional wisdom is that newspapers need a ratio of 60 percent advertising to 40 percent editorial to make a worthwhile return and The Citizen is well short of this.

Yet with a 60 percent black readership, The Citizen has at least got a basis for growth.

Perskor's major profit centre in the printing division. It has major government contracts for telephone directories and school exercise books. Its R92,1 million book business is dominated by text books for the departments of education.

Its commercial printing operations include magazines, cheque books, envelopes and business forms.

It also has some leading magazines in its Republican Press subsidiary, such as Scope, Living & Loving, Your Family and Garden & Home.



Star 3/13/73

PAC threatens to picket Times

(243)

EAST LONDON — The Transkei PAC yesterday warned all vendors and distributors of The Sunday Times they would picket all outlets in Transkei on Sunday.

This threat follows a PAC dispute with the newspaper which has led to a boycott.

"Unless these outlets make a written undertaking that they will not accept The Sunday Times, they are standing on the firing line," Transkei PAC regional secretary, Zingisa Mkabile, said yesterday.

The Transkei government yesterday pro-

mised a police escort for the paper's distributors if requested.

"If the PAC wishes to target The Sunday Times as alleged, it should do so at the source, that is, South Africa," Transkei military ruler, Major General Bantu Holomisa, said.

He added: "In the meantime I call upon the PAC regional leadership to confirm whether there are plans to interfere with the sale of The Sunday Times in Transkei as there are indications that this can be the work of agent provocateurs. This

will clear the air of any PAC involvement."

Sunday Times editor Ken Owen sent an open letter to Mkabile yesterday expressing his regret at their stated campaign, and offering to meet the Transkei PAC executive if it would be useful to discuss the misunderstandings which have arisen.

He said it was not true the newspaper was engaged in a campaign against the PAC, either in Transkei or elsewhere.

Owen said it was true the paper condemned attacks on civilians and violence. — Elnews.

NEWS

By Esther Waugh

Protestation is commonplace in the negotiations process — except yesterday when it was staged by journalists at the World Trade Centre.

Although most groups agree that the media should have access to the proceedings, journalists were met at the World Trade Centre with a five-point memorandum restricting their movements.

In terms of the notice — issued by the administration without any input or approval

Star 3/13/93

Media protest against access restrictions at talks

(243) of the political groups — the press was restricted to the ground floor of the building

The negotiating council whose agenda yesterday included media access to the proceedings, met on the first floor.

The press was informed: "You are requested to remain on the ground floor during the

course of the meeting. Before lunch you are invited to come up on to the landing, but remain within the designated area. In this way, you would have the opportunity to speak to and photograph some of the delegates as they break for lunch"

Labour Party representative Llewelyn Landers brought the

memorandum to the notice of the negotiating council.

However, before Landers' move, it had been decided that the discussion on media access had taken too much time and it was referred to the 10-member planning committee.

This committee met Dr Theuns Eloff of the administration during the lunch break

The notice was withdrawn and journalists were given access to delegates during the tea breaks — the same limited access which applied during the Codesa days

Star 3/13/93
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Owen said it was true the paper condemned attacks on civilians and violence. — Elnews.

Journalist fined for failure to attend camp

The Argus Correspondent

KIMBERLEY — The son of a former deputy mayor of Kimberley has been found guilty of failing to attend a Kimberley Regiment camp and fined R300 by a court martial at Northern Cape Command

Durban-based journalist Donald Pressly, son of the Rev Canon George Pressly, pleaded guilty to the charge. He did not attend the camp, based in black townships in northern Natal, from January 18 to March 18

The prosecutor, Lieutenant C J Rothman, argued that it had become increasingly difficult to prosecute people in the present political climate and the accused, a lance-corporal, must be made an example of and has to show respect towards the demands of the state

Lieutenant Rothman said he had negligently and unlawfully failed to respond to the call-up

Mr Pierre Hugo, for the defence, argued that the accused should not be treated as a normal person facing a citizen force call-up and that there were several mitigating factors to consider

This included the accused being in line for a promotion to the parliamentary staff of the Natal Mercury.

Had he not to been at work during

ARC 1/4/93
those two months — by the balance of probabilities — he was unlikely to have received the promotion.

Mr Hugo said the accused would also have been placed in a difficult position having being associated with wearing a uniform in the Natal townships

He said this could in the future place him in danger when taking into account "the connotations of being associated with authority" when reporting in the townships

Mr Hugo argued that the accused had "nothing against the system" and also had no previous convictions.

The defendant had served the military loyally and had produced many positive reports about the SADF while as a national serviceman at Paratus, the official SADF mouthpiece, and subsequently for his own newspaper.

The presiding officer, Colonel Ihlenfelt, said the defendant should not feel that he was being victimised.

He pointed out, however, that the accused should not underestimate the value of each man's contribution to the SADF in this political climate.

Taking into consideration the mitigating factors, he said the defendant should have applied to the Exemption Board after his application for deferment had been rejected by the regiment. (243) (S)

Star 21/4/93

Editor complains of police harassment

A Johannesburg newspaper editor this week wrote to Law and Order Minister Herhus Kriel, complaining about continued police harassment after a reporter was arrested on Monday, allegedly for not paying a traffic fine.

(243)

The Indicator editor Ameen Akhalwaya made the complaint after four policemen arrived at the newspaper's offices to arrest reporter Bongani Mavuso for not responding to a summons.

Mavuso has claimed

he never received a summons.

He said the policemen were unco-operative and rude, refusing to allow Akhalwaya to pay the R50 fine to them.

When Akhalwaya asked a staffer to photograph the arrest, one of the policemen called "Subramanian" threatened to confiscate the camera, said Mavuso.

A police spokesman yesterday confirmed police were investigating complaints against the policemen involved. —
Crime Reporter

PAC ban on
newspaper
suspended
pending talks

ARC 2/4/93
(2/3)

EAST LONDON. — The PAC in the Transkei has decided to suspend its boycott campaign against the Sunday Times newspaper and has given it 14 days to respond to its criticisms.

PAC regional secretary Mr Zingisile Mkabile said in a statement yesterday that the decision to suspend the campaign — announced on Monday — followed a letter from the Sunday Times editor, Mr Ken Owen, to the PAC on Tuesday.

Mr Owen said it appeared an “unfortunate misunderstanding” of the views and intentions of the Sunday Times had arisen in the Transkei PAC.

Mr Owen denied the newspaper was engaged in a campaign to vilify the PAC, as the organisation claimed in announcing the boycott action, and said the Sunday Times was prepared to meet the PAC to discuss the “misunderstandings”.

Mr Mkabile said differences of opinion still existed between the two parties but these would be thrashed out at meeting between the PAC regional executive and the Sunday Times management, which must take place within 14 days. — Eena.

Grim year for journalists

As covering news becomes a global industry, more journalists are being forced into dangerous situations.
Weekly Mail Reporter

JOURNALISM is becoming a more and more hazardous occupation with conflict zones growing internationally. In 1991, 84 journalists died while working and although 1992's figures are not finalised, they are higher. Civil war in the former Yugoslavia, wars in the Middle East, the South American drug cartels and trouble in Turkey claimed the most lives.

South Africa too remains one of those places the International Federation of Journalists tags "great for news but grim for journalists".

Last year, 46 journalists were injured, seven shot and one killed while covering stories, according to the South African Union of Journalists (SAUJ).

1993 also seems set to be a bumper year, already reporters, photographers and drivers delivering newspapers have been assaulted and threatened.

Five journalists were injured during Johannesburg's taxi siege in February and seven more were attacked by schoolchildren during a march in Johannesburg last week, while Radio 702 reporter Des Latham was roughed up by Afrikaner Weerstandsbeweging



Under fire ... A photographer from the Sowetan takes evasive action during the battles in Alexandra township last year

Photo: KEVIN CARTER

members late in March.

Other incidents have been less dangerous, but still obstruct journalists from doing their work.

These include the Pan Africanist Congress' call for a boycott of the *Star*-*Day Times*, its occupation of the *Daily Dispatch* offices in Umtata and the police raid on the *Star* offices last month.

This week, the SAUJ held a seminar to discuss safety on the job. It follows a similar seminar last year, where a resolution was drafted and signed by major political organisations, including the

African National Congress, the PAC and the National Party.

The organisations noted "the recent attacks and threats of attack against journalists" and undertook to "respect and promote the safe conduct and the physical safety of journalists".

At this week's seminar, journalists noted that there was no respect for the media from either the authorities or members of political organisations.

A *Beeld* reporter said he could not go near an AWB meeting. Some ways around the problem were to have media education slotted into

voter education and to use the available peace structures and the church when working in conflict areas.

Journalists are beginning to demand better insurance against injury, disability and death. Just this week, Carlo Guozzi, a South African cameraman who worked for Worldwide Television News (WTN), appealed against his dismissal in the industrial court.

He alleges that among the reasons for his dismissal was the fact that he had acted as spokesman for camera crews in relation to inadequate insurance cover in dangerous situations.

In particular, he referred to the shooting of a colleague, who was advised that he was not covered by WTN.

The seminar also suggested that all journalists should receive counselling after working in violent areas. "It's a far better way of dealing with what you have just seen than having a bottle (alcohol)," said a reporter.

But a management representative from a major newspaper group said they had been quoted R300 000 a year by a counselling service. He felt newspapers would be happier to pick up the individual counselling costs.

A major problem facing journalists is a lack of information about unrest areas and state of emergency regulations.

Transvaler's end highlights deeper woes

214193

THE DECISION to end the Transvaler's life as a daily newspaper marks another phase in the demise of a once influential publication

But it signals more than the misfortune of a newspaper which in its heyday was the official newspaper of the ruling National Party — then still a force to be reckoned with — and whose editors included Hendrik Verwoerd and Winpie de Klerk, brother of President de Klerk

The Transvaler is but one of a series of Afrikaans daily newspapers to fade away into history. Its disappearance follows the demise of Hooftstad — once edited by CP leader Andries Treurnicht — Oogendblad, Die Vaderland and, more recently, the Oosterlig.

Gavin Stewart, the thoughtful professor of journalism at Rhodes University, identifies two pivotal reasons for the failure of the Transvaler

● The shrinking number of newspaper readers, particularly in the Afrikaans community

● The superiority of Beeld, its chief competitor for the Afrikaans market in the densely populated PWV

Taking 1975 as his baseline, Stewart traces the decline of newspaper readers (a process which he attributes to the advent of television in 1976). These figures relate to whites, who, because of their greater wealth, are of prime importance to advertisers

The decline is manifest in both the English and Afrikaans-speaking communities, but is particularly marked in the Afrikaans community

Donderdag 25 Maart 1993 Jg 5 80c Tel Johannesburg 776-9111 • Pretoria 327-5089

PERSKOR: AFRIKAANSE KOERANTE

Dagbreekkrant en die direkteur van Perskor het aangekondig dat hulle Afrikaanse dagblad gaan herposisioneer. Dit is die aanvang van 'n strategiese projek wat mettertyd verder ontwikkel en ontwikkel sal word.

TRANSVALER, die enigste Afrikaanse middagkoerant word van n dagblad tot n weekblad vir Pretoria en omgewing omgeskakel.

The Transvaler, once a powerful force in Afrikanerdom, is about to disappear as a daily newspaper. Its fate follows the demise of others and symbolises a wider problem for Afrikaans newspapers. PATRICK LAURENCE reports.

Stewart's calculations for daily newspapers show that between 1975 and 1992 the percentage of white English speakers who read a daily newspaper fell from nearly 52 percent to 32 percent and that for white Afrikaners the decline was from about 37 percent to barely over 19 percent

Measured as a share of the number of potential white readers, Stewart reckons that these figures translate into a 40 percent loss for English daily newspapers and a 46 percent loss for Afrikaans dailies during the years 1975 to 1992

One assumes English dailies were cushioned to some extent by their ability to replace white with black readers and that, conversely, Afrikaans newspapers were severely disadvantaged because of black antipathy to Afrikaans after the disastrous attempt to compel blacks to learn through the medium of Afrikaans

The contracting market of Afrikaans readers precipitated a fight for survival between Die Transvaler, a Perskor paper, and Beeld, whose proprietor, Nasionale Pers, had launched it in Johannesburg in the mid-1970s to capture the important PWV market

Stewart describes Nasionale Pers as a competent, innovative company, the product, in part, he thinks, of the prominent positions occupied on its board by former

journalists, including Piet Cillie (chairman) and Ton Vosloo (chief executive officer).

Die Transvaler fought back as hard as it could, even to the extent of "taking its circulation figures", Stewart says. It was, however, outmanoeuvred by a smarter, more enterprising opponent

Harald Pakendorf, a former editor of Die Vaderland, agrees that the advent of Beeld was a major factor in the decline of Die Transvaler and, by extension, Die Vaderland

Another cause, he reckons, was the replacement of Marinus Jooste by Koois Butendag as the chairman of Perskor. Butendag was more of a publisher than a news-

Galdrewe vas
 Elf mense is in Kanada daerwat aangekla dat hulle die galdrewe en kloue van bier ontveilig na Asie smokkel. Hulle het glo ook ander mense kloue was bereid om te smokkel. Die kloue word soms in die geel — Sapa-R

Transvaler verdwyn as dagblad
 Oostelike Perskor in Port Elizabeth en Volksblad in Bloemfontein is gesuikende die afgeleide van die oorspronklike Transvaler se naam. Oostelike Perskor het aangekondig dat die dagblad 'n weekblad sal word. Die Transvaler se verdwyning as dagblad is deel van 'n byna twee dekades lank aanhoudende proses wat deur die Perskor-koerante sukses om te oorkom. Australië se laaste stede- en middagblad is byna twee gelede al gesluit.

Vir Transvaler se laaste ander Afrikaanssprekende dagblad, verdwyn Pretoria en ander Noord-Transvalers lry egter n nuwe koerant wat met groot verwagting verwag word.

214193

paper buff, Pakendorf says. On the question of why Beeld and Nasionale Pers won and Die Transvaler and Perskor lost, Pakendorf, himself a former Perskor man, has a simple reply: "Nasionale Pers invested in people, while Perskor invested in machines."

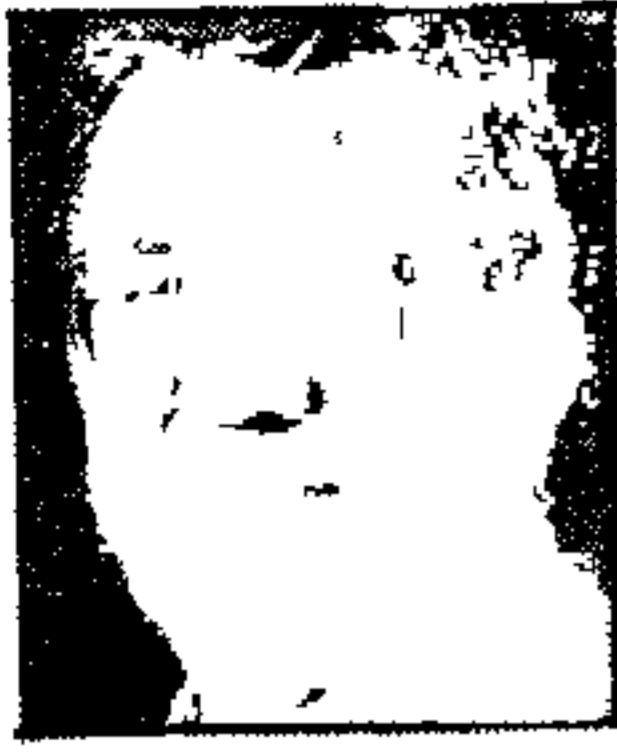
The attempt to manipulate circulation figures by Perskor was another cause of the decline in Die Transvaler and Die Vaderland, Pakendorf says. "It was very bad for morale."

One of Pakendorf's former colleagues in Perskor — who asked not to be identified — agrees that the circulation scandal had a devastating impact on morale. "After that nothing was the same," the colleague says.

Pakendorf's colleague believes that Perskor management was simply not up to it, that Perskor managers, from the formidable Jooste downwards, lacked the flair and drive of their rivals.

The sacking of two talented editors, De Klerk from Die Transvaler and Pakendorf from Die Vaderland, did not help, the colleague contends. It merely signalled that Perskor was in trouble, encouraged the opposition and confused and demoralised the editorial staff, the journalist recalls.

Looking back there is a certain irony in the decline and fall of Die Transvaler when it was a pure propaganda mouthpiece for the National Party — and for the Nazis under Verwoerd's editorship during World War 2 — it was successful, when it shed its propagandist past and strove to become a real newspaper. It failed. □



S/Times 4/4/93

If you want curbs on free speech, spell them out

PROFESSOR JOHN GROGAN, in his latest defence of the Appellate Division's decision to gag the Financial Mail, has put his finger precisely on the question raised by that judgment how can freedom of speech be reconciled with other interests?

This, indeed, is a matter on which opinions differ sharply. Only a month ago the law lords in Britain, in a landmark case, ruled that it would be "an undesirable fetter on freedom of speech" to let any organ of government sue for libel, our own Appellate Division, in permitting political organisations to sue for defamation, has tended in the opposite direction.

In the English case the underlying presumption is that freedom of speech is essential to democracy, in the South African case the underlying presumption is that restrictions on speech are necessary to order.

No sensible person disputes that some restrictions on free speech are necessary to protect minor children, for example, or to ensure a fair trial. Also, people (and newspapers) are accountable for their speech, and may be sued for defamation, or for damages caused to commercial undertakings.

Other restrictions are more controversial. The British Official Secrets Act is almost as bad as anything we endured under apartheid, and is for the ruling elites an instrument of power, the Americans do not tolerate such laws, although, in wartime, their extreme liberalism does throw up problems.

All these restrictions, however, differ fundamentally from what the Americans call "prior restraint" and what the German constitution calls censorship, which is what occurred when the Appellate Division forbade the Financial Mail to publish a report concerning Sage Holdings.

Professor Grogan says the report was defamatory; that is beside the point. We have laws, severe laws, to deal with defamation, and in any event the court did not rest its judgment on the defamation but on the notion that artificial persons, including corporations, have a right to privacy for which there is little precedent (and not much academic literature) in our law.

I hesitate to say the Appellate

(243)
Division has invented a right of privacy — there is some reference to such a right in academic literature, and the court stretched some precedents to cover the point — but it seems to me that this corporate right has lain undiscovered in our law through the 2 000 years of its evolution. I find that miraculous.

Nevertheless, it has already changed the climate in which public debate must be conducted in this country, putting into the hands of corporations a powerful new instrument — an equivalent of Britain's "gagging writs" — to fight off public disclosure. Twice in the past few weeks I have been threatened, once by a former cabinet minister, with similar actions.

Professor Grogan, unable to believe that newspapermen may simply believe in free speech, suggests that my concern about this diminution of our rights arises from self-interest, and attributes to me a one-eyed lack of perspective. The Appellate Division, he says, has the unenviable task of reconciling press freedom with other interests like confidentiality and reputation.

On this point I agree with him. It is the reason why I raise the question whether the courts are fit to perform that task, especially in a country where newspapers are poorly regarded, where free speech is under attack in the academies of learning as well as in the streets, and where open, democratic discussion is an unfamiliar virtue.

EVEN Professor Grogan admits that the record of our courts in defending the rights of ordinary people during apartheid was "less than distinguished" and "shameful", but he puts the blame on the government "assisted by certain judges who failed to use the common law to alleviate the effect of repressive legislation". The common law itself, he says, was not to blame.

That the common law failed only because it was not enforced may be true enough, but that is poor comfort. What use is unenforced law? There is no guarantee that when the next oppressor comes along the courts will not be equally timid, or indeed equally enthusiastic, as they enforce oppressive laws.

On the contrary, the judgment

against the FM, coming at the very birth of democracy and at a time when the government has been hastily liberalising press law, has brought home to me the dreadful realisation that there will always be judges who, even if they do not collaborate with tyranny, prefer to uphold the prevailing order against the uncertainties of freedom. There will always be judges who will betray the common law, or stretch it for dubious purposes.

WE need to learn the lesson of our history: our courts behaved under apartheid rather as the German courts behaved under the Nazis, as instruments of oppression rather than as a shield for the oppressed. The Germans have, in drawing up a new constitution that forbids censorship, taken care to ensure that it cannot happen again, and we should do likewise.

I am convinced that the FM-Sage judgment ranks with the suppression of the communist and liberal publications, New Age and Contact, and with the closure of The World as a blow to press freedom, and that the harm, having been embedded in the common law, will be more lasting, but the argument is long and technical, what matters is that we recognise the danger.

The decision whether we are to be a democracy, in which every person enjoys the maximum freedom which is compatible with equal freedom for all, is a political one. It is not the prerogative of the courts to dole out freedom, a bit here and a bit there, as though we were beggars or serfs.

As our leaders begin to draw up a new constitution we, the people, must insist that they entrench freedom of speech, along with other basic rights, so that not even the Appellate Division can water it down. Then it will be up to those who fear or detest untrammelled free speech to say what restrictions, precisely, they want written into the constitution.

They must not hide behind the fiction that the courts, in their wisdom, can be trusted to sort it all out later, or that the common law will suffice.

KEN OWEN

The Star's in job seekers' eyes

Staff Reporter 243

Hundreds of journalists in South Africa want to work for The Star — as was shown by the overwhelming response to advertisements in our newspaper.

We advertised for a political writer, a senior journalist, a graphic de-

signer, a photographer and sub-editors in the medium we know works best: The Star.

The Star was inundated with job requests. We received 136 applications from photographers, 91 from journalists, 12 from sub-editors and 98 from graphic artists.

New political correspondents have been ap-

pointed, as has a senior writer. We have interviewed some of the photographers and artists and will be seeing sub-editors next week.

To the many people who applied for jobs keep watching The Star classifieds. There are many more opportunities in the "situations vacant" columns.

Finance Week editor's bid accepted

CAPE TOWN — Finance Week editor Allan Greenblo's bid for 7 610 Finance Week Holdings shares at R60 a share has been accepted by Tollgate Holdings liquidator Chris van Zyl.

The shares, representing 26,7% of the company's share capital, became available when their owner, the TGH group, was placed in liquidation.

Greenblo's final bid, worth R456 600, was way above the R10,50 a share he offered initially and gives Finance Week a market value of about R1,7m.

Rand Merchant Bank has loaned Greenblo the money to purchase the shares.

The requisite majority of proven creditors in number and value yesterday approved resolutions giving Progressive Administration's Van Zyl full discretionary powers to make a final decision on the disposal of the Finance Week shares. After the creditors meeting yesterday, Van Zyl said he had decided to approve the Greenblo offer.

He said the TGH creditors — the biggest of

which was Absa — had decided that Greenblo's offer was the most beneficial "having regard to all the complications and restrictions placed on the manner in which the liquidator could dispose of the shares".

Basically, the creditors believed the "hassle factor" involved in accepting another offer was too great even though Co-Auto chairman and Finance Week founder Stuart Murray had tendered R80 a share.

In terms of Finance Week Holdings' articles of association, the purchaser of shares has to offer them to existing shareholders on a pro rata basis before taking them up. In effect this could mean that the purchaser ends up with n shares.

Greenblo has given the undertaking that would abide by the articles of association and he has also indemnified Van Zyl against a claims arising out of his decision.

LINDA ENSOR

B 1099 14/4/93

Star 15/4/93

Sunday Times-PAC talks fail

UMTATA — Talks between Sunday Times newspaper editor Ken Owen and Pan Africanist Congress Transkei officials to head off a boycott of the newspaper in Transkei failed in Umtata on Tuesday. Owen and deputy editor Brian Pottinger invited the PAC to continue discussions or pursue the matter as a public debate through the columns of the Sunday Times (243) (18)

Caxton 'seeks more than trade restraints'

NORMAN CHANDLER

CTP Ltd (Caxton) was not justified in seeking an interdict restraining Argus Holdings from entering the "local and separate free newspaper" market, it was argued in the Rand Supreme Court yesterday.

Argus counsel D Fine, SC, submitted that Caxton was unable to define the limits of "local", and that what was being sought was "everything — not only restraint of trade".

Caxton claims Argus violated 1980 and 1985 agreements between the companies

Fine told Mr Justice E Goldstein that the interpretation of "local" depended on circulation of a newspaper — as Caxton's counsel, B Levin, had admitted.

"We haven't heard where local starts and where local ends. Caxton says local was 'my domain', and Argus says competition (between the groups) was always envisaged."

Caxton understood regional to mean provincial. "We (Argus) admit the terms are not precise ... and we do not accept that the restraints are enforceable," Fine said.

243 1985 Undertakings

In discussions with major shareholder Argus between 1980 and 1982 Caxton had said it would be churlish to go to court against Argus, with which it reached a business arrangement in 1980.

When The Star announced plans in August 1991 to publish a "free local newspaper" called Northern

Focus, complaints were made. Undertakings were given that Focus would be a one-off publication. A second objection was made that month when The Star published Sandton Star as part of a circulation drive. Argus denied this breached restraint-of-trade agreements.

The Star's publishing of Northern Shopper drew a complaint on March 3 from Caxton, which wanted an undertaking that publication of this and similar supplements would be stopped.

An Eastgate Shopper had not drawn any complaint. Argus submitted "shoppers" were supplements, not newspapers, and that "the complainants were being opportunistic", as the Northern Shopper complaint was lodged on the eve of the hearing.

The hearing was postponed.

Journalists to be banded

JOHANNESBURG — The Foreign Correspondents Association said yesterday that it would issue members with clearly marked armbands to protect them from harassment during mass action. 0716/4/93

On Wednesday, two foreign journalists were injured by birdshot in Soweto. 243

● In a joint statement yesterday, the Campaign for Open Media (COM) and the South African Union of Journalists said at least six journalists — two in Soweto and four in Cape Town — were shot and injured by police during Wednesday's gatherings.

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PAC bashes the media

DENNIS CRUYWAGEN of
The Argus Political Staff

APR 16/4/93
CHRIS HANI'S alleged killer was a settler who deserved a bullet, said Mr Theo Mabusela, Western Cape chairman of the Pan Africanist Congress.

At a press conference yesterday, where the media came in for a bashing, he claimed the PAC would triumph if elections were held now.

He said the big welcome given to PAC national president Mr Clarece Makwetu and the jeering of Mr Nelson Mandela in Johannesburg on Wednesday was a classic example of people showing who their true leaders were.

Mr Mabusela accused the media and the SABC of trying to create tension between the PAC and the ANC.

He warned that the PAC was considering taking action against the media.

One step was to label the media as antagonistic to the PAC.

"In a sense the media is constituting itself as an enemy of the PAC, and if it going to be an enemy of PAC it will be an enemy of the oppressed people of Azania."

Mr Mabusela's outburst was caused by an apparent misunderstanding of remarks by ANC regional chairman Dr Allan Boesak about Wednesday's violence in Cape Town.

Dr Boesak blamed groups of youths who refused to listen to ANC marshals and some people who were identified as PAC members.

The PAC strongly condemned allegations that its members were responsible for most of the violence in Cape Town.

"This is an absolute misrepresentation of the facts for malicious or other reasons by the media. The PAC is accountable for its members only and not supporters shouting PAC slogans"

Mr Mabusela said members of the ANC, SA Communist Party, Congress of South African Trade Unions and other organisations had shouted PAC slogans.

He said the PAC had had marshals at Wednesday's gathering, but added that they did not wear distinctive clothing and were therefore not as visible as ANC marshals.

26 APR 1993
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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

243

Vol 334

CAPE TOWN, 16 APRIL 1993

No. 14705

KAAPSTAD, 16 APRIL 1993

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No 565

16 April 1993

No 565

16 April 1993

It is hereby notified that the State President has assented to the following Act which is hereby published for general information —

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word —

No 43 of 1993 Imprint Act, 1993

No 43 van 1993 Wet op Drukkersname, 1993

GENERAL EXPLANATORY NOTE:

- []** Words in bold type in square brackets indicate omissions from existing enactments
- _____** Words underlined with a solid line indicate insertions in existing enactments

ACT

To regulate certain matters in connection with printed matter; to amend the Newspaper and Imprint Registration Act, 1971, so as to repeal the provisions thereof relating to printed matter and the application of the Act to Namibia; and to provide for matters connected therewith.

*(English text signed by the State President)
(Assented to 25 March 1993)*

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows —

Definitions

1. In this Act, unless the context otherwise indicates—
- “Minister” means the Minister of Home Affairs, 5
- “prescribe” means prescribe by regulation,
- “printed matter” means any picture or any mark conveying any meaning which has been affixed on any material, or has been produced by impressing or transferring other material thereon,
- “printer” means any person carrying on or managing a business which produces printed matter 10

Notification of name of printer and address of his business on certain printed matter

2. (1) Subject to subsection (2) any printer of printed matter, other than a newspaper as defined in section 1 of the Newspaper Registration Act, 1971 (Act No 63 of 1971), shall affix on all such printed matter produced and distributed in the Republic, a notice in legible type and in either of the official languages of the Republic, containing the words “Printed by _____”, followed by his full and correct name and the full and correct address at which he conducts his business of printing, or an abbreviation of his name registered in terms of section 3 15
- (2) Subsection (1) shall not apply to a printer of printed matter not intended for public sale or public distribution 20

Registration of imprint abbreviation

3. (1) A printer who desires to use an abbreviation instead of his full name and address as contemplated in section 2, shall apply therefor to the Printing Industries Federation of South Africa or such other authority as the Minister may designate by notice in the *Gazette* 25

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vet druk tussen vierkantige hake dui skrap-
pings uit bestaande verordenings aan
- _____ Woorde met 'n volstreep daaronder, dui invoegings in
bestaande verordenings aan

WET

Om sekere aangeleenthede in verband met drukwerk te reel; om die Wet op die Registrasie van Nuusblaai en Drukkersname, 1971, te wysig ten einde die bepalinge daarvan wat op drukwerk betrekking het, en die toepassing van die Wet op Namibie, te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken)
(Goedgekeur op 25 Maart 1993)

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg —

Woordoms krywing

1. Tensy uit die samehang anders blyk, beteken in hierdie Wet—
- 5 “drukker” iemand wat 'n saak dryf of bestuur wat drukwerk voortbring;
- “drukwerk” 'n afbeelding of merk wat 'n betekenis het en wat op die een of ander stof aangebring is, of voortgebring is deur ander stof daarop af te druk of oor te plaas,
- 10 “Minister” die Minister van Binnelandse Sake,
- “voorskryf” by regulasie voorskryf

Aangee van naam van drukker en adres van sy saak op sekere drukwerk

2. (1) Behoudens subartikel (2) moet 'n drukker van drukwerk wat nie 'n nuusblad soos omskryf in artikel 1 van die Wet op die Registrasie van Nuusblaai, 1971 (Wet No 63 van 1971), is nie, op alle sodanige drukwerk wat in die Republiek voortgebring en versprei word, in leesbare letters en in een van die amptelike tale van die Republiek, 'n kennisgewing aanbring wat die woorde bevat “Gedruk deur _____”, gevolg deur sy volledige en juiste naam en die volledige en juiste adres waar hy sy drukkersaak dryf, of 'n afkorting van sy naam wat ingevolge artikel 3 geregistreer is
- 20 (2) Subartikel (1) is nie van toepassing op 'n drukker van drukwerk wat nie vir openbare verkoop of openbare verspreiding bestem is nie

Registrasie van afkorting van drukkersnaam

3. (1) 'n Drukker wat 'n afkorting in plaas van sy volledige naam en adres wil gebruik soos in artikel 2 beoog, moet by die Suid-Afrikaanse Federasie van Druknnywerhede of by sodanige ander instansie as wat die Minister by kennisgewing in die *Staatskoerant* aanwys, daarom aansoek doen
- 25

- (2) Any such application shall contain the prescribed particulars and be accompanied by the prescribed fee
- (3) The Federation or authority, as the case may be, shall in writing notify the applicant of the result of the application
- (4) No person other than the printer to whom consent has been granted to use an abbreviation, shall use that abbreviation in connection with any printed matter 5
- (5) The Federation or authority contemplated in subsection (1) shall keep a register of the prescribed particulars of all applications in terms of this section, and shall upon application by any person and on payment of the prescribed fee furnish such person with a certified copy of such particulars of that register as he may require 10
- (6) (a) Whenever a change occurs in regard to any of the particulars furnished in any application in terms of subsection (1), the printer concerned shall within 14 days after the day on which the change occurred, in writing notify the Federation or authority contemplated in subsection (1) of such change 15
- (b) Any such notice shall contain the prescribed particulars and be accompanied by the prescribed fee
- (c) The Federation or authority, as the case may be, shall thereupon appropriately alter the register referred to in subsection (5)

Origin of foreign printed matter 20

4. No person shall distribute in the Republic any printed matter not printed in the Republic, unless the name of the country of origin is affixed thereto

Exemptions

5. The Minister may by notice in the *Gazette* exempt any type of printed matter from the provisions of section 2 25

Regulations

6. The Minister may make regulations as to—

(a) the procedure to be followed in connection with the registration of abbreviations of the names of printers,

(b) any matter which shall or may be prescribed under this Act, 30

and, in general, for the more efficient implementation of the objectives of this Act

Offences

7. Any person who contravenes or fails to comply with any provision of section 2(1), 3(4) or (6)(a) or 4, shall be guilty of an offence and liable on conviction to a fine, or to imprisonment for a period not exceeding one year 35

Amendment of section 1 of Act 63 of 1971

8. Section 1 of the Newspaper and Imprint Registration Act, 1971 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the insertion before the definition of “Minister” of the following definition: 40

“ ‘Director-General’ means the Director-General of Home Affairs,”

(b) by the substitution for the definition of “Minister” of the following definition

“ ‘Minister’ means the Minister of **[the Interior]** Home Affairs,” 45

and

(c) by the deletion of the definitions of “printed matter”, “printer”, “Republic” and “Secretary”

(2) So 'n aansoek moet die voorgeskrewe besonderhede bevat en van die voorgeskrewe geld vergesel gaan

(3) Die Federasie of instansie, na gelang van die geval, moet die aansoeker skriftelik van die uitslag van die aansoek in kennis stel

5 (4) Niemand anders as die drukker aan wie toestemming tot die gebruik van 'n afkorting verleen is, mag daardie afkorting in verband met drukwerk gebruik nie

(5) Die Federasie of instansie in subartikel (1) beoog, moet 'n register hou van die voorgeskrewe besonderhede van alle aansoeke ingevolge hierdie artikel, en
10 moet op aansoek van iemand en teen betaling van die voorgeskrewe geld aan so iemand 'n gesertifiseerde afskrif verstrek van die besonderhede van daardie register wat hy verlang

(6) (a) Wanneer 'n verandering plaasvind met betrekking tot 'n besonderheid verstrek in 'n aansoek ingevolge subartikel (1), moet die betrokke drukker binne
15 14 dae na die dag waarop die verandering plaasgevind het, die Federasie of instansie in subartikel (1) beoog skriftelik van die verandering in kennis stel

(b) So 'n kennisgewing moet die voorgeskrewe besonderhede bevat en van die voorgeskrewe geld vergesel gaan

(c) Die Federasie of instansie, na gelang van die geval, moet daarop die
20 register bedoel in subartikel (5) paslik wysig

Oorsprong van buitelandse drukwerk

4. Niemand mag enige drukwerk wat nie in die Republiek gedruk is nie, in die Republiek versprei nie tensy die naam van die land van oorsprong daarop aangebring is

25 Vrystellings

5. Die Minister kan by kennisgewing in die *Staatskoerant* enige soort drukwerk van die bepalings van artikel 2 vrystel

Regulasies

6. Die Minister kan regulasies uitvaardig betreffende—

30 (a) die prosedure wat gevolg moet word in verband met die registrasie van afkortings van die name van drukkers,
(b) enige aangeleentheid wat kragtens hierdie Wet voorgeskryf moet of kan word,

en, oor die algemeen, vir die doeltreffender verwesenliking van die oogmerke
35 van hierdie Wet

Misdrywe

7. Iemand wat 'n bepaling van artikel 2(1), 3(4) of (6)(a) of 4 oortree, of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete, of met gevangenisstraf vir 'n tydperk van hoogstens een
40 jaar.

Wysiging van artikel 1 van Wet 63 van 1971

8. Artikel 1 van die Wet op die Registrasie van Nuusblaate en Drukkersname, 1971 (hieronder die Hoofwet genoem), word hierby gewysig—

45 (a) deur voor die omskrywing van "drukker" die volgende omskrywing in te voeg

"'Direkteur-generaal' die Direkteur-generaal van Binnelandse Sake,",

(b) deur die omskrywings van "drukker" en "drukwerk" te skrap,

50 (c) deur in die Engelse teks die omskrywing van "Minister" deur die volgende omskrywing te vervang

"'Minister' means the Minister of **[the Interior]** Home Affairs,",
en

(d) deur die omskrywings van "Republiek" en "Sekretaris" te skrap

Substitution of section 3 of Act 63 of 1971

9. The following section is hereby substituted for section 3 of the principal Act

“Application for registration of newspaper

3. (a) Any person intending to print and publish a newspaper in the Republic **[or to continue to publish and print in the Republic a newspaper referred to in section 14(2)]** shall lodge with the **[Secretary]** Director-General on the prescribed form an application for the registration of such newspaper 5

(b) Any such application shall contain the prescribed particulars and shall **[except in the case of a newspaper referred to in section 14(2)]** be accompanied by the prescribed fee ”. 10

Repeal of Chapter III of Act 63 of 1971

10. Chapter III of the principal Act is hereby repealed

Substitution of section 13 of Act 63 of 1971

11. The following section is hereby substituted for section 13 of the principal Act 15

“Regulations

13. (1) The Minister may make regulations as to—

(a) the procedure to be followed in connection with the registration of newspapers, 20

(b) any matter which shall or may be prescribed under this Act

(2) Any regulation contemplated in subsection (1) prescribing money, shall only be made with the concurrence of the Minister of State Expenditure ”

Repeal of section 14 of Act 63 of 1971

25

12. Section 14 of the principal Act is hereby repealed

Substitution of word in Act 63 of 1971

13. The principal Act is hereby amended by the substitution for the word “Secretary”, wherever it occurs, of the word “Director-General”

Substitution of section 16 of Act 63 of 1971

30

14. The following section is hereby substituted for section 16 of the principal Act

“Short title

16. This Act shall be called the Newspaper **[and Imprint]** Registration Act, 1971 **[and shall come into operation on a date fixed by the State President by proclamation in the Gazette]** ” 35

Substitution of long title of Act 63 of 1971

15. The following long title is hereby substituted for the long title of the principal Act.

“ACT

40

To provide for the registration of newspapers **[and imprints; to regulate certain matters in connection with printed matter]**, and to provide for matters connected therewith ”

Vervanging van artikel 3 van Wet 63 van 1971

9. Artikel 3 van die Hoofwet word hierby deur die volgende artikel vervang

“Aansoek om registrasie van nuusblad

5 3. (a) Iemand wat voornemens is om 'n nuusblad in die Republiek te druk of uit te gee **[of om voort te gaan om 'n nuusblad bedoel in artikel 14(2) in die Republiek te druk of uit te gee]**, moet 'n aansoek om die registrasie van dié nuusblad op die voorgeskrewe vorm by die **[Sekretaris] Direkteur-generaal** inlewer

10 (b) So 'n aansoek moet die voorgeskrewe besonderhede bevat en moet **[behalwe in die geval van 'n nuusblad bedoel in artikel 14(2)]** van die voorgeskrewe gelde vergesel gaan ”

Herroeping van Hoofstuk III van Wet 63 van 1971

10. Hoofstuk III van die Hoofwet word hierby herroep

Vervanging van artikel 13 van Wet 63 van 1971

15 11. Artikel 13 van die Hoofwet word hierby deur die volgende artikel vervang

“Regulasies

20 13. (1) Die Minister kan regulasies uitvaardig betreffende—
 (a) die prosedure wat gevolg moet word in verband met die registrasie van nuusblaare,
 (b) enige aangeleentheid wat kragtens hierdie Wet voorgeskryf moet of kan word
 (2) 'n Regulasie beoog in subartikel (1) wat geld voorskryf, kan slegs met die instemming van die Minister van Staatsbesteding uitgevaardig word ”

25 Herroeping van artikel 14 van Wet 63 van 1971

12. Artikel 14 van die Hoofwet word hierby herroep

Vervanging van woord in Wet 63 van 1971

13. Die Hoofwet word hierby gewysig deur die woord “Sekretaris”, waar dit ook al voorkom, deur die woord “Direkteur-generaal” te vervang

30 Vervanging van artikel 16 van Wet 63 van 1971

14. Artikel 16 van die Hoofwet word hierby deur die volgende artikel vervang

“Kort titel

35 16. Hierdie Wet heet die Wet op die Registrasie van Nuusblaare **[en Drukkersname]**, 1971 **[en tree in werking op 'n datum wat die Staatspresident by proklamasie in die Staatskoerant bepaal]** ”

Vervanging van lang titel van Wet 63 van 1971

15. Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang.

“WET

40 Om voorsiening te maak vir die registrasie van nuusblaare **[en drukkersname; om sekere aangeleenthede in verband met drukwerk te reel]**, en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan ”

Short title and commencement

16. This Act shall be called the Imprint Act, 1993, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*

Kort titel en inwerkingtreding

16. Hierdie Wet heet die Wet op Drukkersname, 1993, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal

61077
19/4/93

New SAJJ president

YVONNE Grimbeek of the Natal Witness in Maritzburg is the new president of the South African Union of Journalists. She replaces Dirk Hartford of the SABC (243)

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version

For written reply.

General Affairs.

SA Communication Service: publications

117 Mr G C ENGEL asked the Minister of Communication

(1) (a) How many publications are currently being issued by the South African Communication Service, (b) what is the (i) name and (ii) annual production cost of each of these publications, (c) how many copies are printed of each and (d) by whom is each of them funded;

(2) whether any of these publications publicise, promote or propagate the views and policies of the Government, if so, (a) which of these publications and (b) for what reasons;

(3) whether he will make a statement on the matter? B284E

The MINISTER OF COMMUNICATION

(1) (a) 44 publications have been published by SACS in the current financial year

- (b) (i) SA Panorama
Southern Africa Today
RSA-Beleidsvoorsig
RSA Policy Review
Beleidsrigs/Policy Guide
Amptelike Jaarboek
Official Yearbook
Puisano

243

(b) (ii) and (c)

- Umsio
- Ligh/Khanya
- Karet
- Vision
- Izindaba
- Metropolitan Digest
- This is South Africa
- Desk Calendar '93
- Annual report '91
- SA Profile
- Tuyuhys [E/A reprint]
- Muslims of SA
- SA—invest in mineral industry
- Conservation in SA
- The Old Raadsaal [E/A]
- [brochure and pamphlet]
- Groote Schuur [E/A]
- Discover SA's Wild Flowers and the National Botanical Gardens
- SA—A country of contrasts
- The SA Nurserymen's Association
- Countdown to elections [E/A]
- Women reach out in SA
- SA Government's approach to the constitutional process [E/A]
- National Communication Policy and Strategy [E/A]
- Equality for women [11 languages]
- Fundamental rights for all [11 languages]
- SA—A Glimpse
- Vroue Insig
- Lux Femina
- Soshanguve News
- Moutse News
- Refilwe News
- Orange Farm
- Kwa-Thema
- Duduzani Nuus
- Evaton News

Title	Production cost (per year)	Print order (per year)
SA Panorama	R1 453 514	238 942
Southern Africa Today	R 448 550	180 000
RSA-Beleidsvoorsig [till Aug '92]	R 77 549	11 330
RSA Policy Review [till Aug '92]	R 85 688	12 257

HOUSE OF ASSEMBLY

CONF-0

Title	Production cost (per year)	Print order (per year)
(243)		
RSA-Belidsorsorg/RSA Policy Review [from Sept '92]	R 96 207	17 140
Belidsorgs/Policy Guide	R 80 000	182 600
Amptelike Jaarboek	R 4 246	2 500
Official Yearbook	R 3 480*	3 000
Pusano [full Dec '92]	R 152 790	803 000
Umso [full Dec '92]	R 229 445	1 430 000
Lighu/Khanya [full Dec '92]	R 430 545	2 080 000
Karet [full Dec '92]	R 372 111	1 450 000
Vision [full Dec '92]	R 162 354	325 000
Izandaba [full Dec '92]	R 94 663	325 000
Metropolitan Digest [full Dec '92]	R 195 637	990 000
Thus is South Africa	R 392 000*	98 000
Desk Calendar '93	R 119 000	7 000
Annual report '91	R 10 500	750
SA Profile	R 31 250	25 000
Tuyuhuis [E/A reprint]	R 30 000	5 000
Muslims of SA	Financed by Foreign Affairs	10 000
SA—Invest in mineral industry	R 30 130	10 000
Conservation in SA	Financed by Foreign Affairs	10 000
The Old Raadsaal [E/A] [brochure and pamphlet]	Financed by Education and Culture	4 000
Groote Schuur [E/A]	Financed by the Office of the State President [purchased by SACS]	5 000
	R 9 750	1 500
Discover SA's Wild Flowers and the National Botanical Gardens	Financed by Foreign Affairs	30 000
SA—A country of contrasts	Financed by Foreign Affairs	10 000
The SA Nurserymen's Association Countdown to elections [E/A]	Financed by Foreign Affairs	10 000
	Financed by Constitutional Development Service	25 000
Women reach out in SA	R 3 060	1 000
SA Government's approach to the constitutional process [E/A]	R 7 950	25 000
National Communication Policy and Strategy	R 6 000	6 000
Equality for women [11 languages]	Financed by Justice	108 700
Fundamental rights for all [11 languages]	Financed by Justice	239 850
SA—A Glimpse	R 600	6 000
Vroue Insig	R 14 701	4 000
Lux Femina	R 19 743	12 000
Soshanguve News	Financed by TPA	120 000
Mouise News	Financed by TPA	48 000
Refilwe News	Financed by TPA	18 000
Orange Farm	R 3 415	15 000

Title	Production cost (per year)	Print order (per year)
(243)		
Kwa-Thema Duduzani Nvus	R 777	11 400
Evaton News	R 3 207	15 200
	R 3 884	20 000
* The print order for Foreign Affairs of 7 600 copies of the Official Yearbook and 102 000 copies of This is SA reduced the unit cost.		
(d) All publications are funded by SACS unless otherwise indicated		
(2) (a) About half of the publications reflects the views and policies of the Government as it is basically the mission of SACS and other civil service departments to communicate the policy of the government of the day		
(b) SACS acts as official mouthpiece of the government of the day and assists other civil service departments when publications are produced at their request		
(3) No		
Complaints against policemen/women		
149 Mr L FUCHS asked the Minister of Law and Order		
(1) How many (a) complainants were laid against policemen and policewomen arising out of incidents that occurred while they were on duty, and (b) policemen and policewomen (i) were prosecuted for crimes committed whilst on duty, and (ii) faced disciplinary hearings, in 1992,		
(2) how many policemen and policewomen who faced such hearings were dismissed from the Police Force in that year?		
		B290E
The MINISTER OF LAW AND ORDER.		
(1) (a) 12 631		
(b) (i) 2 177		
(ii) 2 916		
(2) 151		
Civil actions by detainees/banned persons: costs		
150 Mr H J BESTER asked the Minister of Law and Order.		
(1) Whether any amounts are currently owing to the State in respect of costs awarded to the State or any state official in any unsuccessful court applications or any other civil actions brought by persons, or on behalf of persons, who were detained, banned or otherwise acted against in terms of the provisions of the Internal Security Act, 1982 (Act No 74 of 1982), or any regulations promulgated in terms of section 3 and/or section 5A of the Public Safety Act, 1953 (Act No 3 of 1953); if so, (a) what amounts and (b) in respect of what date is this information furnished,		
(2) whether he intends to institute civil proceedings for the recovery of these amounts, if so, what are the relevant details?		
		B359E
The MINISTER OF LAW AND ORDER		
(1) Yes		
(a) R 3 825,15	R 20 738,50	
R 19 944,92	R 24 718,58	
R 13 648,52	R 14 448,73	
R 13 047,08	R 15 279,16	
R 3 364,00	R 7 656,48	
R 4 000,00	R 25 645,06	
R 19 920,67	R 11 000,00	
R 7 285,36		
Five cases have not yet been appraised and the costs are therefore not known		
(b) 1 January 1986 until 28 February 1993		

Ruling sought Star 22/4/93 as newspaper 243 giants battle

By Norman Chandler

A Rand Supreme Court judge was yesterday asked to define printing and publishing terms used by newspapers and to uphold restraint-of-trade agreements between companies with interlocking interests.

Mr Justice E L Goldstein was told by counsel for CTP Ltd (Caxton) that Argus Holdings Ltd (Argus) had violated 1980 and 1985 agreements between the two firms.

Argus claims that restraint is unreasonable.

The agreements cover publication of local and separate free newspapers anywhere in South Africa or Namibia "for the economic life of the businesses and for so long as each party had its interests to protect".

Undertaking

This was to ensure that "each of the businesses would remain viable entities and that there would not be an overlapping of competitive interests in regard to similar type products"

It was argued by B Levine, SC, for Caxton, that supplements carried by The Star over several months in 1991 were, in fact, free newspapers and not supplements as described by the publishers. Argus had undertaken not to publish a separate free newspaper in South Africa and specifically local newspapers in parts of the Witwatersrand and Vaal areas

Levine said that crucial to the argument was the definition of words, in particular "publish", "distribute", "free", "local" and "regional"

The judge inquired "When does publishing start? They (Argus) print

it at their offices, send it to the tearroom. When does publishing stop and when does distribution start? Surely that is not what was intended?"

Levine said the word "publish" referred to separate free newspapers.

The judge asked whether this meant The Star could not include such a publication as part of the newspaper, and was told that was Caxton's assertion

Asked how the applicants could distinguish between "that and Tonight", which appears as a supplement to The Star, Levine said 'Tonight' was a section of The Star and not a newspaper.

Levine said Argus, following undertakings to discontinue supplements called Focus until the current matter was settled, had in the meantime published "shoppers" which he described as nothing more than Focus under another guise. Argus had conceded that the placing of Focus at CNA stores had been unlawful in terms of the agreements, he said.

The judge said this was "your strongest case"

He was told The Star would be at liberty to bring out "shoppers" as supplements but not as a separate newspaper.

The judge said "Restraint can't be forever. It must surely go on until the companies are no longer interrelated or Argus is no longer a shareholder of Caxton."

He said Caxton was attempting to "seek protection against shareholders (ie Argus). They bought into your business and you are trying to stop shareholders doing their business."

The hearing continues.



Edward Mudau ... traumatised father.

Publication is doing well

Sowetan 22/4/93 (243) (S)

■ Magazine sustains info on Aids

By Sizakele Kooma

SPEAK magazine seems to be one of the very few that have realised their responsibility to provide continuous information on Aids awareness

Since the beginning of the year, the magazine has carried stories about the disease and how it can be prevented. The May issue contains 14 Aids stories aimed at school-children. Another article touches on sexual harassment. It advises women to

- Speak out if someone offends them
- Be firm and not apologetic about it
- Approach the harasser in a group and tell him how you feel
- Organise regular women's meetings to talk about their complaints

The issue also has the success stories of two women. One was a domestic worker who rose to become president of the country's biggest domestic workers union, and the other a young woman who did not let disability deter her from achieving her dream. The stories on Victoria Motlasedi and Shanaaz Majet are a worthwhile read

Argus, Caxton locked in semantic dispute

Star 23/4/93

By Norman Chandler

The definition of a newspaper and other terms were again argued before the Rand Supreme Court yesterday when CTP (Caxton) sought an order restraining Argus Holdings from entering the "local and separate free newspaper market".

It was claimed attempts by Argus were in breach of restraint of trade agreements negotiated by the inter-linked groups in 1980 and 1985.

In a day of lengthy argument, Caxton debated nomenclature used by papers to describe various circulation areas, publications and supplements.

It was submitted by B Levin, SC, for Caxton, that "publish" and "distribute" had different meanings, that "local", "regional" and "parochial" were terms used as ploys by Argus to get around restraint agreements with Caxton, and that supplements published by The Star were in reality free newspapers circulated in areas served by Caxton.

Levin told Mr Justice EL Goldstein that Argus described "newspapers" included in copies of The Star as "supplements and not newspapers" - adding that "if one called them supplements, then they should be in

every copy of The Star. Why call it a supplement if it is not in every copy?"

The judge said: "One could call it a supplement to get out of restraint. Argus says when you place them in The Star they are supplements; they cease to be a newspaper."

Levin quoted from a marketing letter to advertisers which talked about "going into the Caxton market... when challenged, Argus didn't even know (the supplements) had been referred to as alternatives to Caxton".

The judge believed the reference may have been made "in

an unguarded moment", but Levin called it an advertising and marketing ploy to mislead subscribers.

In argument over "regional" and "local" publishing, the court heard the interdict being sought would stop publication of the supplements and that there had to be a distinction between the two words.

The court was told of heated boardroom meetings at which Caxton had objected to Argus intentions to enter the local newspaper market and that there had been extended arguments about "zoned editions". The hearing continues.

Star 23/4/93
Piet Skiet

in fracas with reporter

Own Correspondent
and Staff Reporters

Rightwinger Piet "Skiet" Rudolph and reporter Fred de Lange exchanged blows at Perskor's offices in Pretoria West yesterday.

The fracas followed yesterday's front-page report in the Citizen, in which De Lange wrote that "senior CP sources believed Clive Derby-Lewis was arrested on the strength of a statement by Rudolph".

According to several employees, Rudolph marched into the Mitchell Street offices at about 9.15 am, asked for De Lange and hit him in the face.

When De Lange retaliated, Rudolph allegedly threw a small table at him.

One Perskor employee claimed Rudolph had called administrative clerk Nans Gericke "a bloody bitch", threatened to "knock out her eyes" and also punched De Lange's wife Ilse.

The Citizen report said: "In terms of this statement, Rudolph allegedly told the police that he gave the weapons (stolen from the SA Air Force) to Derby-Lewis to distribute".

Rudolph denied having any contact with the police.

Police spokesman Lieutenant Evan Johnson said De Lange had laid a charge of assault.

Mrs de Lange's arm was injured, while De Lange suffered minor injuries to his chin.

The alleged assault comes only days after the arrest of Derby-Lewis in connection with the assassination of Chris Hani.

And on Wednesday, five more people, including Derby-Lewis's wife Gaye, were picked up by police. Two were later released.

The Derby-Lewis couple are being held in terms of section 29 of the Internal Security Act, allowing police to detain them in solitary confinement without trial for 10 days instead of the 48-hour detention period permitted by the Criminal Procedure Act. The 10-day period can be extended.

SATV newsmen attacked

BLOEMFONTEIN — SATV cameraman Mr Dudley Saunders was attacked and injured by a mob in Sharpeville in the Vaal Triangle yesterday and his journalist colleague Mr Calvin Thosago has disappeared.

An SATV spokesman said the two men had been on an assignment when they were attacked. Mr Saunders, who was admitted to the Vereeniging Hospital, is

the son of SATV news producer Mr Cliff Saunders.

Police intervened apparently just in time to save his life.

In the Free State a woman was shot dead and policemen and their vehicles were stoned and petrol-bombed at Vrede yesterday when a crowd of 1500, who had been returning to the township after a march to the police

station, suddenly turned on police following the group.

Near Middelburg, Transvaal, Constable H J Rossouw and Constable N J Roets were seriously burned when a petrol bomb was thrown into their vehicle.

In the Cape, police used teargas to disperse a stone-throwing crowd at Wallacedene squatter camp near Kraaifontein — Sapa, Crime Reporter (243)

'Restraints on Argus invalid'

NORMAN CHANDLER
Weekend Argus Correspondent

(243)
ARG 24/4/93

JOHANNESBURG — CTP Ltd (Caxton) was not justified in seeking an interdict restraining Argus Holdings from entering the "local and separate free newspaper" market, it was argued in the Rand Supreme Court

It was submitted by Mr D Fine, SC, counsel for Argus, yesterday that Caxton was unable to define the limits of locality and what was being sought was actually "everything — not only restraint of trade"

Caxton claims Argus violated 1980 and 1985 agreements between the two inter-linked companies and that the dispute had been unresolved for more than 18 months.

Argument during the week has centred on definitions of various words and phrases used in the newspaper industry, including "local", "regional" "publish", "print" and "distribute"

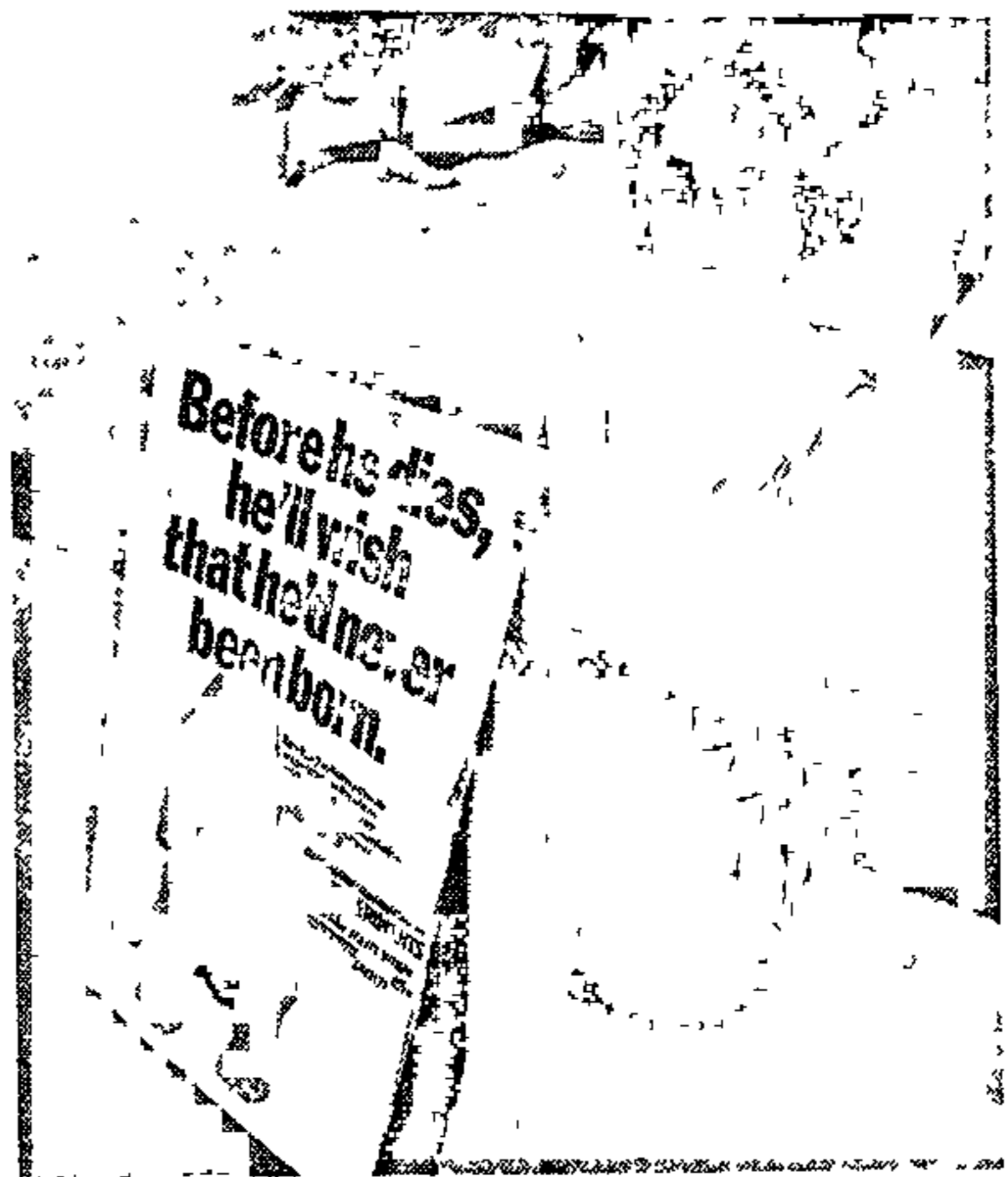
Mr Fine told Mr Justice E Goldstein the interpretation of local depended on circulation of a newspaper and that this had also been admitted by Caxton's counsel, Mr B Levin

"The real difficulty Caxton encounters in trying to shoot down Argus concerns the interpretation of local and regional," said Mr Fine "We haven't heard where local starts and where local ends.

"Caxton says local was 'my domain' and Argus says competition (between the groups) was always envisaged."

Commented Mr Justice Goldstein "It's like chasing your own tail."

Mr Fine argued that Caxton understood regional to mean provincial "and this also shows the difficulty we have encountered We (Argus) admit the terms are not precise in any way and we do not accept that the restraints are enforceable"



Pictures DOUG PITHEY, Weekend Argus

□ **ANIMALS' BEST FRIENDS:** A small group of concerned anti-vivisectionists gathered outside the University of Cape Town's medical school yesterday, International Day for Laboratory Animals. They were protesting against the experimental use of animals by medical researchers.

Assault: Piet Skiet to face court

PRETORIA — Orde Boerevolk leader Mr Piet "Skiet" Rudolph is to appear in court on Monday in connection with the assault of Citizen reporter Fred de Lange (ARG 24/4/93)

Mr Rudolph was ordered to report to the investigating officer yesterday after the alleged assault on Thursday

He has not been arrested and was warned to appear — Weekend Argus Correspondent

Yengeni blasts nameless critics

^{SOUTH} TONY Yengeni strongly rejects the way he has been portrayed in some media, and has hit back at unnamed ANC critics quoted in Vrye Weekblad newspaper last week.

In the newspaper, an unidentified ANC source is quoted as saying: "Tony Yengeni is going crazy. He just wants to attack the police, kill them and he agrees with attacks on whites."


The source allegedly also

^{24/4 - 28/4/93} said "Yengeni is deliberately leading up to a confrontation with the ANC's national leadership and wants to challenge them."

According to another anonymous source cited in the Vrye Weekblad, Yengeni and "his faction" are in favour of a Leipzig option (a people rising against the government).

Yengeni rejects this as well as other accusations that he is following an insurrectionist

policy.

 (243)
"The purpose is obviously to annihilate my good image, my person. It instigates political elements even within the ANC. This is similar to the instigation before Ham's assassination, tainting him as a blood-thirsty criminal."

"What worries me most is that the sources are purported to be within the ANC. Well, if this is true, I am up against something very serious."

Let all our views be heard

SITHOLE 25/4/93

ENOCH SITHOLE takes issue with those trying to qualify the right to freedom of speech

A FEW weeks ago Mr Ken Owen called on Professor John Grogan of the faculty of law at Rhodes University to spell out the curbs he wanted on free speech

What Mr Owen is perhaps not aware of is that Professor Grogan has already spelt out which curbs on freedom of speech he would like in the future dispensation

Professor Grogan was part of a team of media lawyers and academics who drew up a document meant to be the legal framework within which the media will operate during the transition period. This document was presented to a conference, held in Cape Town in January last year, under the auspices of the Campaign for Open Media.

In attempting to do away with media restrictions under the present apartheid status quo, the document introduces yet another set of restrictions.

The document states that "the fundamental principle to be observed is that freedom of speech is inviolate". But it then qualifies "It is contended that the only exceptions are restrictions in the interest of the military defence of the nation, restrictions designed to enable citizens to

exercise and enjoy their right to privacy, restrictions designed to protect individual honour"

I should note, before discussing this dangerous qualification, that the wording of the submission does not refer to freedom of the media, but of speech. This means more than restricting the right of journalists to exercise their right to publish or perform their "newspaperism", as put by Professor Grogan in one of his articles, but of the right of citizens of this country to speak up about anything they deem necessary.

This qualification on freedom of speech, in my understanding, constitutes the most threatening development to democracy in our country.

Professor Grogan and his colleagues should know that "military defence of the nation" cannot always mean the same thing to different people, especially if you allow them to voice their opinions on the issue.

Suppose the Walvis Bay issue degenerated into a war between South Africa and Namibia. South Africans would certainly be divided on whether such a war was in the "interest of the military defence of the nation" or not

And if politicians said it was, Professor Grogan and his colleagues would advise the nation not to argue with them

What is in the minds of the architects of this document is that people or publications will be able to go to court and argue whether a certain military action is in the "interest of the military defence of the nation" or not, as they clearly stated that these exceptions should not be abused by politicians for their own gains

But we, in this country, know of cases where our courts found people guilty of non-crimes and sent them to jail. And their defence was that those things — such as people of two different races having a love affair — were crimes as far as the laws of the country were concerned. Now, who makes the laws? Is it not the politicians? Who will determine whether something is in the "interest of the military defence of the nation" or not? Surely it will be the politicians?

We are heading for disaster in the sense that people and the media will still be prevented from exposing the dishonesty of leaders in public office

The present defamation laws say that it is a crime to publish an article about someone's private life if it cannot be proved that it is in the interest of the public to know. And it does not distinguish between private and public figures

What is private for a public figure? Does this mean that there is nothing wrong with an alcoholic priest as long as he is sober for the mass? Or a cabinet minister having extra-marital affairs as long as these do not disrupt the performance of his ministerial duties.

We cannot afford such exceptions if we really want to live in a democratic society. The American First Amendment clearly states "Congress shall make no law abridging the freedom of speech or press"

This is the only provision that can make a democratic society stand. And that is what we also need in our own dispensation

● *Enoch Sithole is Political Editor of the New Nation*

Media want greater safety

JOHANNESBURG. — Media organisations called on political leaders yesterday to impress on their followers the need to guarantee the safety of journalists

Following the death of a TV reporter at the weekend, and attacks on 40 other journalists in the past two weeks, representatives from the SA Union of Jour-

nalists, the Media Workers' Association of SA and the Foreign Correspondents' Association said it was important to maintain the free flow of information about events in townships.

The ANC praised members of its marshalling corps, who rounded up and handed over to police three men suspected of killing SABC journalist Mr Cal-

vin Thusago.

Mr Thusago was killed in Sharpeville at the weekend when about 30 youths attacked him and colleague Mr Dudley Saunders.

Mr Saunders, who was seriously injured, was in a stable at Milpark Hospital here after being moved from Vereeniging Hospital. — Sapa

CT 26/4/93 (243) ~~274~~

Call to guarantee safety of journalists

MEDIA organisations yesterday called on political leaders to impress on their followers the need to guarantee the safety of journalists

Following the death of a TV reporter at the weekend, and attacks on 40 other journalist in the past two weeks, the media representatives said it was important to maintain the free flow of information about events in townships

The ANC praised members of its marshalling corps, who rounded up and handed over to police three men suspected of killing SABC journalist Calvin Thusago.

~~SAUJ~~ KATHRYN STRACHAN

Thusago was killed in Sharpeville at the weekend when about 30 youths attacked him and colleague Dudley Saunders. Saunders, who was seriously injured, was in a stable condition yesterday after being moved from Vereeniging Hospital to Milpark Hospital in Johannesburg

SAUJ president Dirk Hartford said at least 40 journalists had been victims of violence since the death of SACP leader Chris Hanu two weeks ago. Thusago was

To Page 2

Journalists

the third SABC journalist to be killed in two years. Hartford said the Sharpeville attack had injected urgency into a campaign to ensure the safety of journalists.

SABC TV CE Quentin Green said the corporation would reassess its approach to covering potentially dangerous situations. "We would hate to remove our presence from these areas, but at the end of the day the safety of our staff comes first."

ANC spokesman Carl Niehaus said his organisation was very concerned about the attacks which undermined freedom of the Press. He said the ANC was "very proud" of its marshalls who had displayed their community peacekeeping role.

Although the suspects claimed allegiance to the PAC, the PAC's Sharpeville branch denied they were members, Niehaus said.

The ANC marshalls — all members of the local Sharpeville branch — searched through the night and found the suspects after interviewing witnesses to the attack and questioning people in the community.

The ANC PWV region strongly con-

demned the "outrageous behaviour by criminal elements who use the name of the ANC and other political organisations to carry out their heinous acts".

The Conference of Editors called on political leaders at all levels to "condemn unreservedly any behaviour designed to impede the free flow of information".

PAC secretary-general Benny Alexander said his organisation was shocked by the "uncalled-for murder" and undertook to ensure the safety of journalists in the Vaal Triangle in future.

Sapa reports Azapo said: "However much we might disagree with the reportage of any section of the media, violence against its reporters is reprehensible."

The Foreign Correspondents' Association said the deteriorating situation with regard to attacks on journalists had prompted it to hold meetings with the ANC and PAC in a bid to secure the safety of its members. "Both organisations assured us that they would take all possible steps to deal with the problem," said FCA chairman Patti Waldmeir.

From Page 1

Surge in radio stations appears to be imminent

TIM COHEN

CAPE TOWN — Hundreds of radio stations could take to the air sooner than expected, with a new broadcasting dispensation looking imminent.

Home Affairs Minister Danie Schutte said at the weekend there appeared to be widespread support in negotiations for a new dispensation for electronic broadcasting.

The current parliamentary session could see the introduction of legislation instituting the new system, following its ratification in negotiations.

The proposed new structure would introduce policy guidelines for public and private electronic media.

It is believed the policy guidelines will include stipulations that the electronic media should include a certain amount of local content and adopt an even-handed approach to political matters, which could effectively exclude political parties from owning radio stations.

Schutte denied that the policy stipulation was an infringement of Press freedom, and said the electronic media used a public asset — the airwaves.

The legislation would also introduce a new licensing authority and an independent media commission, which would police the media to ensure it maintained the principles set out in the Act.

Argus defends 'area' inserts

SUSAN RUSSELL

PUBLICATIONS inserted into The Star aimed at advertisers and readers in particular areas of the Witwatersrand were supplements and did not fall within the definition of free or local newspapers, the Rand Supreme Court heard last week.

This submission was made by Argus Holdings counsel D Fine SC in an application brought against the company by one of its subsidiaries, CTP Ltd (Caxton). CTP is asking the court for an order restraining Argus from publishing free or local newspapers in SA and Namibia which they allege is in breach of restraint agreements between the companies made in 1980 and 1985.

The company is also seeking an order prohibiting Argus from publishing a series of regular "focus" publications aimed at particular areas of the Witwatersrand and inserted into The Star.

CTP allege that the Focus publications are an attempt to by-pass the restraint agreement and encroach on Caxton's free "knock and drop" market.

Argus opposes the application on the grounds that the disputed publications are not free or local newspapers, but supplements. The company also contends that the

restraint agreements are so wide as to be unreasonable. Fine argued on Friday that the publications in question were an activity that his client would never have forsaken under the restraint agreements because local communities were very important as far as the company was concerned.

He also argued there was a great deal of ambiguity about the definition of regional and local when referring to newspapers. The Focus publications, he said, covered areas which were in some instances far larger than local regions.

Fine cited the example of one area targeted by a Focus publication which was made up of four areas each of which had its own Caxton publication.

It was submitted that the court had to decide when a newspaper stopped being a regional publication and became local.

"We do not accept that these supplements fall within the term free separate or local newspaper," Fine told the court.

The application, which was originally due to be argued over one-and-a-half days, was postponed until May 17.

Prof. M. J. ...

Cameraman's killing sparks call for safety of newsmen

ANC 26/4/93 243

The Argus Correspondent

JOHANNESBURG — The brutal murder of SABC newsman Mr Calvin Thugiso — who was stabbed with colleague Mr Dudley Saunders in Sebokeng on Friday — has galvanised local and foreign journalists into a widespread campaign to ensure the safety of newsmen.

At the weekend the ANC handed over three suspects to the police after they were found in possession of filming equipment.

At a meeting called in response to the killing, journalists resolved to contact all political organisations operating in townships, as well as the police and the National Party, to discuss freedom of movement for reporters.

The meeting also resolved to approach the Afrikaner Weerstandsbeweging to discuss hostility to reporters attending its meetings.

It was suggested at the meeting that all journalists wear a single identifying token to avoid reporters working for a particular medium being singled out.

But it was agreed that this would not guarantee the safety of journalists, and the "tsotsi element", which falls beyond the influence of political organisations, was identified as the most dangerous.

It was also resolved to approach media to help, possibly by conveying messages from political leaders explaining the need for the Press and urging their members to refrain from harassing reporters.

Organisations whose members blamed the Press at public meetings for "spreading lies" would be taken to task.

Meanwhile, over the weekend political organisations and South African and foreign journalists' associations expressed shock at the killing. Sapa reports that the Pan Africanist Congress (PAC) was "shocked by the uncalled-for murder".

The ANC PWV region strongly condemned the "outrageous behaviour by criminal elements who use the name of the ANC and other political organisations to carry out their heinous acts".

It said journalists, black and white, had a legitimate right to carry out their duties without fear of victimisation and harassment.

The Azanian People's Organisation (Azapo) condemned the attack on journalists "doing their job".

The Conference of Editors expressed "disgust at the callous attack" on the newsmen. It called on political leaders at all levels to "condemn unreservedly any behaviour designed to impede the free flow of information".

Three men are expected to appear in the Vereeniging Magistrate's Court today following their citizen's arrest by ANC marshals in Sharpeville.

ANC spokesman Mr Carl Niehaus said marshals worked throughout the night to find Thugiso when he was reported missing on Friday. They found his body, but continued the search until they found people in possession of television equipment stolen from the two newsmen.

Saunders was transferred yesterday to the Milpark Hospital from the Vereeniging Hospital where he was in a serious condition. Milpark staff refused to say what his condition was last night.

Reporters Star 26/4/93 campaign for safety

By Susan Smuts 243

The murder of SABC newsman Calvin Thusago in Sebokeng has galvanised local and foreign journalists to campaign for the safety and protection of reporters.

Colleague Dudley Saunders was stabbed in Friday's attack. He was transferred yesterday to the Milpark Hospital, where he is in a stable condition.

Three men were expected to appear in the Vereeniging Magistrate's Court today following their citizen's arrest by members of the ANC's marshalling structure in Sharpeville.

At a meeting called in response to the killing, journalists resolved to contact all political organisations operating in townships, as well as the police and the National Party, to discuss freedom of movement.

The meeting also resolved to approach the AWB to discuss its alleged hostility towards reporters. But it was agreed that the "tsotsi element", which represented the biggest danger, was beyond the influence of organisations.

Political organisations and local and foreign journalists' associations expressed outrage at the killing. Sapa reports that PAC secretary-general Bennie Alexander was "shocked by the un-called-for murder" and offered protection for SABC journalists in townships.

The ANC's PWV region strongly condemned the "outrageous behaviour by criminal elements who use the name of the ANC and other political organisations to carry out their heinous acts".

The Azanian People's Organisation condemned the attack on journalists "doing their job".

The Conference of Editors expressed "disgust at the callous attack".

NEWS Three murder suspects in court today

Slaying widely condemned

By Abbey Makoe, Don Seokane and Sapa

THREE people arrested in connection with the killing of SABC journalist Mr Calvin Thosago in Sharpeville are to appear in the Vanderbijlpark Magistrate's Court today

Thosago and a colleague, Mr Dudley Saunders, were attacked by a group of youths while doing a story in the area on Friday

Saunders is in a satisfactory condition at the Vereeniging Hospital

The attack has been widely condemned by political and media organisations

Thosago (49) is survived by his wife Andrina, seven children and two grandchildren

He will be buried at Segopye, Ga-Mamabolo, in Pietersburg on Saturday

The SABC-TV news editor-in-chief, Mr Johan Pretorius, has described the attack as

■ FUNERAL PLANS TV reporter Calvin Thosago to be buried this Saturday in Pietersburg:

"outrageous and barbaric"

Mr Mokgadi Pela, Mwasa's *Sowetan* plant chairman, said "It is of no use that some organisations are paying lip service to the freedom of the Press and that of journalists in particular

"Often they say things that incite people to attack members of the media."

Condemned

Pan Africanist Congress secretary-general Mr Benny Alexander said the PAC was "shocked by the uncalled-for murder" and undertook to ensure the safety of journalists in the Vaal Triangle in future

The Azanian People's Organisation strongly condemned the attack "on journalists doing their

job" *Sowetan 26/4/93*

"However much we might disagree with the reportage of any section of the media, violence against its reporters is reprehensible," the organisation said

The Association of Democratic Journalists called on all people, regardless of their political persuasion, to respect the right of journalists to do their jobs

South African Union of Journalists general secretary Ms Karen Stander said the union was "shocked" by the attack

The ANC PWV region said the arrested youths were not members of either the ANC or PAC

243 ~~243~~ ~~243~~

SATV killing: Three appear

JOHANNESBURG —
Three men appeared
briefly in the Ver-
eeniging Magistrate's
Court yesterday in con-
nection with the murder
of SATV reporter Mr
Calvin Thusago.

Mr James Thlobane,
Mr Ezekiel Tyobeka and
Mr Lawrence Hlatsh-
wayo, all in their early
20s, pleaded not guilty to
a charge of murder.

They applied for bail
and the case was post-
poned to May 3.

Mr Thusago was fatally
wounded in an attack in
Sharpeville on Friday
— Sapa

27/4/93

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ANC in newspaper deal

Own Correspondent

EAST LONDON. — The ANC is negotiating to buy into the Transkei-based Xhosa-language newspaper IsoLomzi.

The ANC's Border media officer, Mr Mcebisi Bata, confirmed yesterday that negotiations on the IsoLomzi deal were under way, but could not

reveal details

(243) CT 27/4/B
A recent memorandum to the ANC's national working committee said the ANC had entered into a deal with the owner-editor, Mr Vick-Tongeni, "to improve the paper's design, finances and circulation"

The ANC said it believed the newspaper could serve Transkei, Border and parts of southern Natal

Attacks on journalists: Call to back protest march today

The Argus Correspondent

JOHANNESBURG. — Political organisations and residents in the Vaal Triangle township of Sharpeville have been urged to support a march today by journalists protesting against the murder of SABC-TV newsman Calvin Thusago in the area on Friday

The march, organised by the Media Workers Association of South Africa and the SA Union of Journalists, is in support of the right of journalists to work unhindered and free of harassment or assault.

Thusago, 40, and colleague Dudley Saunders were stabbed by youths near the Sharpeville cemetery while they were reporting on the desecration of graves by the AWB. Saunders was rescued by the police riot unit and is recovering at Milpark Hospital.

Appealing to Sharpeville residents to support the march, Campaign for Open Media spokesman Jeanette Minnie

said that limiting the free flow of information "would give a free hand to the forces of anarchy to act as they pleased".

ARG 27/4/93
She expressed concern that some journalists had been warned that they entered certain areas at their own risk, but welcomed recent statements by the ANC and the PAC denouncing attacks on journalists.

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The ANC said it would train special marshals to help journalists, while the PAC has undertaken to ensure their safety in Vaal Triangle townships.

In a joint statement, the SAUJ and Mwasu warned that the exclusion of journalists from areas would lead to one-sided news.

The unions said journalists would struggle against any community which hampered journalists' work in the same way they had fought against the suppression of information by the government in the past.

Referring to Thusago's death, the Inkatha Freedom Party: "If this is a sign of things to come, the concept of Press freedom in South Africa is in for an extremely rocky ride if it is to survive the 'New South Africa'."

The IFP called on political organisations to ensure journalists' safety.

Democratic Party media spokesman Dene Smuts yesterday called on editors and media managements to spare no cost to protect their journalists.

Among the suggestions she made were:

- Journalists should never be sent alone into danger zones;
- Their vehicles should be in good working order;
- They should maintain constant contact with their offices via radio phones, and
- Journalists should be supplied with and trained to use first-aid kits

NEWS Injured TV cameraman fighting for his life in hospital

Media workers protest

Sowetan

27/4/93.

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1148

Alm (18/4/93)

By Joe Mhlehla

PANGA ATTACK March in Sharpeville today

over the killing of CCV-TV reporter last Friday:

HUNDREDS of media workers will stage a protest march today against the killing on Friday of CCV-TV reporter Mr Calvin Thosago

Thosago (49) was attacked by youths while he was carrying out his duties in Sharpeville.

His colleague, Mr Dudley Saunders, a SABC cameraman, is fighting for his life at the Milpark Hospital after being hacked with bush-knives and pangas.

The general secretary of the Media Workers Association of South Africa, Mr S'Thembele Khala, said media workers, including journalists in the electronic and print media, would express their solidarity by marching through the streets of Sharpeville where Thosago lost his life

"We are saying that political organisations should discourage attacks on journalists and

educate their followers that journalists have a job to perform

"Journalists are not politicians. They gather and disseminate information and therefore do not deserve to be attacked," Khala said

He said the media has had a wonderful tradition of being in the forefront of supporting the struggle for a just society

"It seems some young so-called activists have short memories. Instead of being supportive of what journalists do, they attack them with pangas and guns and the necklache.

"Getting killed in the execution of their duties is the last thing journalists expect, having throughout the dark era paid a price for challenging successive apartheid administrations,"

Khala said

All major political organisations, including Azapo, the African National Congress, the Pan Africanist Congress and the Inkatha Freedom Party, are expected to have representatives at the protest march due to start at 11 30am

Members of the South African Union of Journalists and overseas journalists are expected to show solidarity with Mwasa, said Khala

Vice-president of Mwasa Mr Mahatha Tsedu will be Mr Tim Modise's guest on Radio Metro at 7pm tonight. He will spotlight attacks journalists have had to bear over the years.

Thosago will be buried at his place of birth, Ga-Mamabolo near Pietersburg, on Saturday. He is survived by his wife and seven children

Spate of attacks on newsmen

deplored

By Phil Molefe

Altogether 59 journalists have been attacked in South Africa since the beginning of the year — 44 of them in the wake of the death of SACP leader Chris Hani.

The figures have been released by the South African Union of Journalists (SAUJ).

The union has condemned the recent spate of attacks on newsmen, the latest being the murder of CCV newsman Calvin Thusago.

His colleague, TV cameraman Dudley Saunders, is in Milpark Hospital after being stabbed several times with knives and pangas.

The SAUJ, which jointly organised a march in Sharpeville yesterday with the Media Workers' Association of South Africa to protest against Thusago's murder, has deplored the continued attacks on media people.

According to SAUJ general-secretary Karen Stander, four journalists have been killed in the last three years while "covering the South African story".

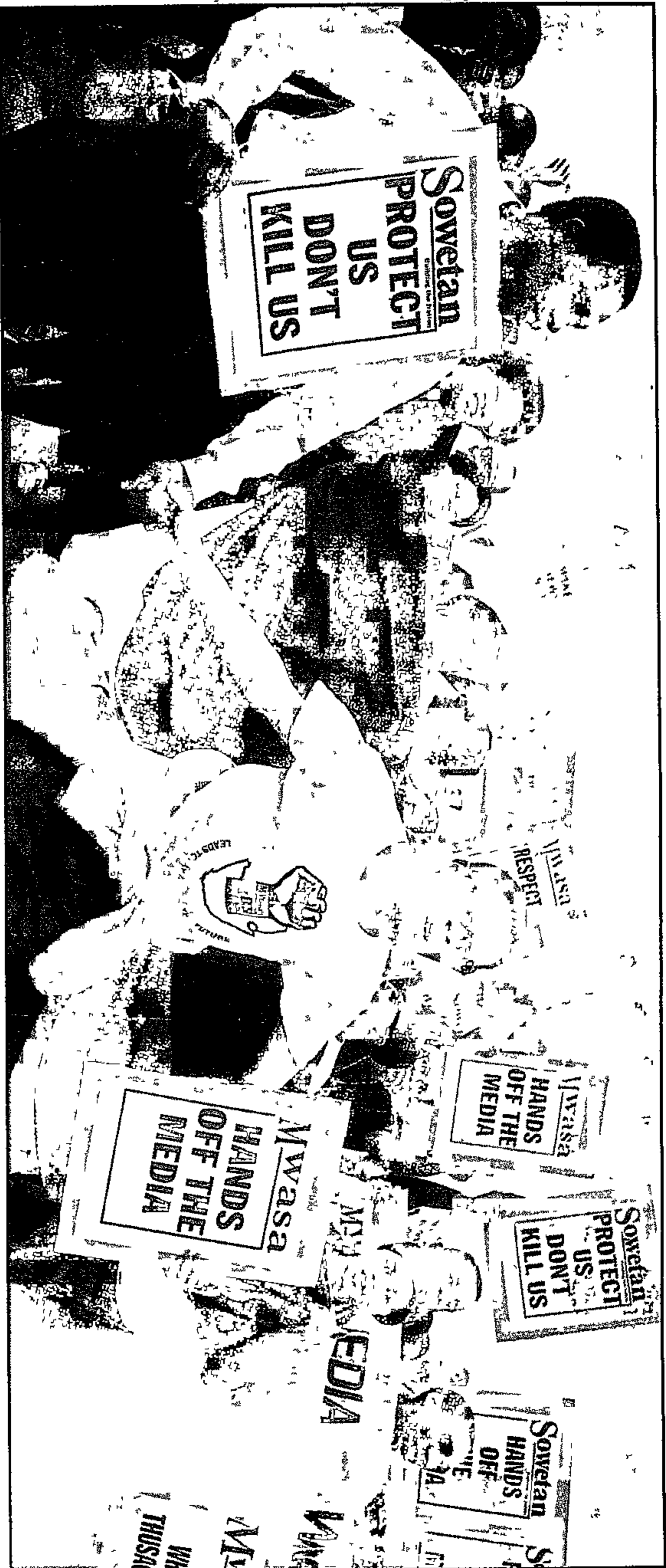
● Hector Nkwanyana, an SABC cameraman, was killed on May 5 last year.

● Visnews journalist Aziz Tassiem was slain in 1991.

● Durban-based SABC journalist Thomas Sibuya was burnt to death with his son in September 1990.

● Sam Mabe, assistant editor of the Sowetan, was shot dead in his car in Soweto on July 5 1990.

According to the SAUJ, 13 journalists were attacked in 1991. Last year at least 46 journalists became victims.



Outcry . . . media workers march through Sharpeville yesterday to protest against the killing of Calvin Thusago

Support for journalists during march

Star 28/11/93

By Phil Molefe

Newsmen made the news yesterday as scores of South African and foreign journalists converged on the Vaal Triangle township of Sharpeville in protest against the death of SABC-TV newsman Calvin Thusago and the subsequent shooting of Worldwide Television News cameraman Sam Msibi.

Joining the march in support of the journalists were blue-collar workers from the news media.

The placard-carrying throng, led by church ministers and media union leaders, trooped from the centre of the township

to the local cemetery.

Sharpeville residents swelled the numbers, and the march soon resembled a political event as PAC and ANC flags were hoisted and the members of the community joined journalists in the toyi-toyi.

A number of police Casspurs closely monitored the march.

Thusago (49) was attacked in Sharpeville at the weekend when his TV crew went to the township to film graves damaged by right-wing elements. A colleague, Dudley Saunders,

is receiving treatment at Milpark Hospital after also being hacked with knives and pangas.

Police have arrested six people in connection with the death of Msibi, who is in the intensive care unit of the Natalspruit Hospital after being shot five times on Sunday night.

He was travelling from work to his Katilehong home when he was stopped by three gunmen in Tokoza township.

His car, containing a television camera and other equipment, was hijacked.

Msibi's suspected attackers were arrested after his car was involved in an accident in Pretoria yesterday.

Police confiscated two firearms found in the car. The six men are expected to appear in the Benoni Magistrate's Court on Friday.

The ANC PWV region yesterday called on communities to stop attacks on media workers.

The ANC PWV region said it wished Msibi a speedy recovery and urged the police to bring the perpetrators of the shooting

quickly to book

● Journalists at The Star yesterday held a meeting at which the safety of reporters, photographers and car drivers was discussed.

Editor-in-Chief Richard Steyn said the issue of safety was of great concern to editorial management and to the management of The Star. The Star was willing to do whatever possible to protect staff.

● Attacks on newsmen deployed — Page 19

Residents join reporters' march

28/4/93
Own Correspondent

(243)

JOHANNESBURG — Sharpeville residents spontaneously joined a march by journalists in the township yesterday to commemorate the killing of SABC reporter Mr Calvin Thusago last week as well as to highlight other recent attacks on journalists

About 100 journalists from newspapers and the SABC were joined by about 400 residents

The chairman of the Ministers Fraternal Church, the Rev David Dinkebogile, said the community would protect journalists in the area

Media Workers Association of South Africa spokesman Mr Mathatha Tsedu reminded marchers it was journalists who spread the news about the Sharpeville killings in 1960

Nactu general-secretary Mr Cunningham Ngckana said killing journalists was "going against the grain of the struggle".

The president of the South African Union of Journalists Mr Dirk Hartford said more than 40 journalists had been attacked since the assassination of Mr Chris Hanu

Journalist shot in Katlehong

JOHANNESBURG

243/4/83
Six people have reportedly been arrested in connection with the shooting of Worldwide Television News cameraman Mr Sam Msibi on Monday night

Mr Msibi was shot five times in Katlehong and is in a serious, but stable condition in the Natal-spruit Hospital's intensive care unit.

Police also recovered Mr Msibi's vehicle and confiscated two firearms

243/4/83
The men, who were arrested after the stolen car was involved in an accident in Pretoria, are expected to appear in the Benoni Magistrate's Court on Friday. — Sapa

Howard

Howard

13 Final Report on the Violence at Mooi River

14 Third Interim Report

15 Report to the State President on an investigation by the Commission's Natal Investigation Team into Allegations of the Presence of Renamo Soldiers in KwaZulu

16 Third Interim Report to the Commission by the Committee inquiring into Public Violence and Intimidation in the Taxi Industry

17 Report to the Commission by the Committee appointed to inquire into the Organization and Conduct of Mass Demonstrations

18 Fourth Interim Report to the Commission by the Committee inquiring into Public Violence and Intimidation in the Taxi Industry

19 Report of the Committee conducting a Preliminary Investigation into the Activities of the Azanian People's Liberation Army (APLA).

Banking groups: assistance by Reserve Bank

*9 Mr K M ANDREW asked the Minister of Finance

(1) Whether the Reserve Bank rendered any assistance to two banking groups, the names of which have been furnished to the Minister's Department for the purpose of his reply, during the latest specified 5-year period for which information is available, if so, (a) what are the names of these banking groups and (b) (i) what were the terms and conditions of this assistance and (ii) why was it rendered,

(2) whether the said terms and conditions have been adhered to by the parties concerned; if not, why not; if so, to what extent?

(3) whether he will make a statement on the matter? B695E

The DEPUTY MINISTER OF FINANCE:

(1) and (2) As I said last resort, the Reserve Bank provides financial assistance to banks on a regular basis. The normal banking business code applies to such transactions,

HOUSE OF ASSEMBLY

namely that transactions between the Reserve Bank and its clients cannot be disclosed to third parties.

Banking groups: audited accounts

*10 Mr K M ANDREW asked the Minister of Finance

(1) Whether two banking groups, the names of which have been furnished to the Minister's Department for the purpose of his reply, submitted audited accounts in respect of the period 1 January to 31 March 1992, if not, (a) why not and (b) what steps were taken or are to be taken in this regard; if so,

(2) whether these audited accounts have been made public, if so, when; if not, why not;

(3) what are the names of the banking groups in question? B696E

The DEPUTY MINISTER OF FINANCE

(1) Audited financial statements for the following companies have been submitted to the Registrar of Companies in respect of the period to 31 March 1992.

— Amalgamated Banks of South Africa Limited ("Amalgamated Banks"),

— ABSA Bank Ltd.

Only the financial statements of Amalgamated Banks, a listed public company, have been sent to its shareholders.

(2) Bankorp Holdings Limited and Bankorp Limited are wholly owned subsidiaries of Amalgamated Banks. The formal annual general meetings of Bankorp Holdings Limited and Bankorp Limited will take place before 30 June 1993. When the financial statements of these companies are sent to their holding company (sole shareholder), copies thereof will simultaneously be lodged with the Registrar of Companies.

Press freedom

*11 Mr P G SOAL asked the Minister of Defence

Whether, with reference to the reply by the

Howard

Howard

then Minister of Home Affairs to Question No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal or partial repeal of certain Acts, particulars of which have been furnished to the South African Defence Force for the purpose of the Minister's reply, if not, why not, if so, (a) what steps and (b) when? B693E

The DEPUTY MINISTER OF DEFENCE:

The Government supports the fundamental principles of media freedom and the free flow of information. A Bill of Fundamental Rights should contain such a stipulation which is entrenched in a constitution—in the interim and finally. Laws administered by the SA Defence Force will have to be amended step by step to adapt to such a Bill of Rights and a changing security environment. This last-mentioned statement however allows for the standpoint that certain information, which could be of advantage to a potential enemy, will be worth protecting according to the universally accepted principle in this regard.

Mr P G SOAL: Mr Chairman, arising out of the hon the Deputy Minister's reply, may I ask him if he would please bring the contents of that reply to the attention of the hon the Minister, because that hon Minister was a member of Working Group 1 at Codesa last year, and supported the repeal of these Acts.

The DEPUTY MINISTER: I will definitely do so. May I just say that the hon the Minister was called away at very short notice. That is why he is not here.

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

Own Affairs

Registration for military service: principals

Mr E W TRENT asked the Minister of Education and Culture:

Whether principals of high schools are

required to assist in the registration of 16-year-old White males for military service in the South African Defence Force, if so, why, if not, what is the position in this regard?

B720E INT

The DEPUTY MINISTER OF EDUCATION AND CULTURE: Mr Chairman, I want to say at the outset that compulsory military service for White males is not under discussion today. If hon members want to discuss this they should participate in the Defence debate.

What is under discussion, however, is whether headmasters of schools are rendering assistance to the Defence Force by registering 16-year-old White males for military service. Yes, they are.

As a matter of fact, they have done so since 1968, and I am under the impression that many headmasters regard this as a duty to their country. Proof of this is that of the 38 355 forms dispatched to 776 schools, 14 840 have already been returned from 385 schools. It is very important, however, to point out that they give this assistance on a voluntary basis. They are not obliged to do so. When a school does not give its co-operation, the matter is handled by the individual pupils themselves.

I find it unfortunate that the hon member created a false impression in his press statement that was released on 20 April. In this press statement the hon member said that the NP Government was attempting to force school principals to become agents of apartheid [Interjections]. I have here the original circular. Let me quote from it:

As in the past, this office is dependent on your kind co-operation. It would be appreciated if the completed registration forms could be forwarded.

There is no question whatsoever of enforcement. I think the party leadership should take disciplinary steps against the hon member for broadcasting a wrong impression. [Interjections.]

Mr E W TRENT: Mr Chairman, I am very glad that the hon the Deputy Minister referred to my press statement. I know that this practice has been in progress for many years. To use schools as a means of applying racial discrimination once again demonstrates how totally insensitive the Government is.

HOUSE OF ASSEMBLY

Six held after shooting of TV man

^{BIDAM}
POLICE arrested six people in connection with the shooting of Worldwide Television News cameraman Sam Msibi on Monday night, reports Sapa.

Police also recovered Msibi's vehicle and confiscated two firearms.

The men, held after the stolen car was involved in an accident in Pretoria, are expected to appear in the Benoni Magistrate's Court on Friday.

Msibi was shot five times in Katilehong on the East Rand, and is in a serious but stable condition in Natal-spruit Hospital.

^{28/4/93}
MARIANNE MERTEN reports that Sharpeville residents yesterday spontaneously joined a journalists' march in the township commemorating the killing of SABC reporter Calvin Thusago last week and other attacks on journalists.

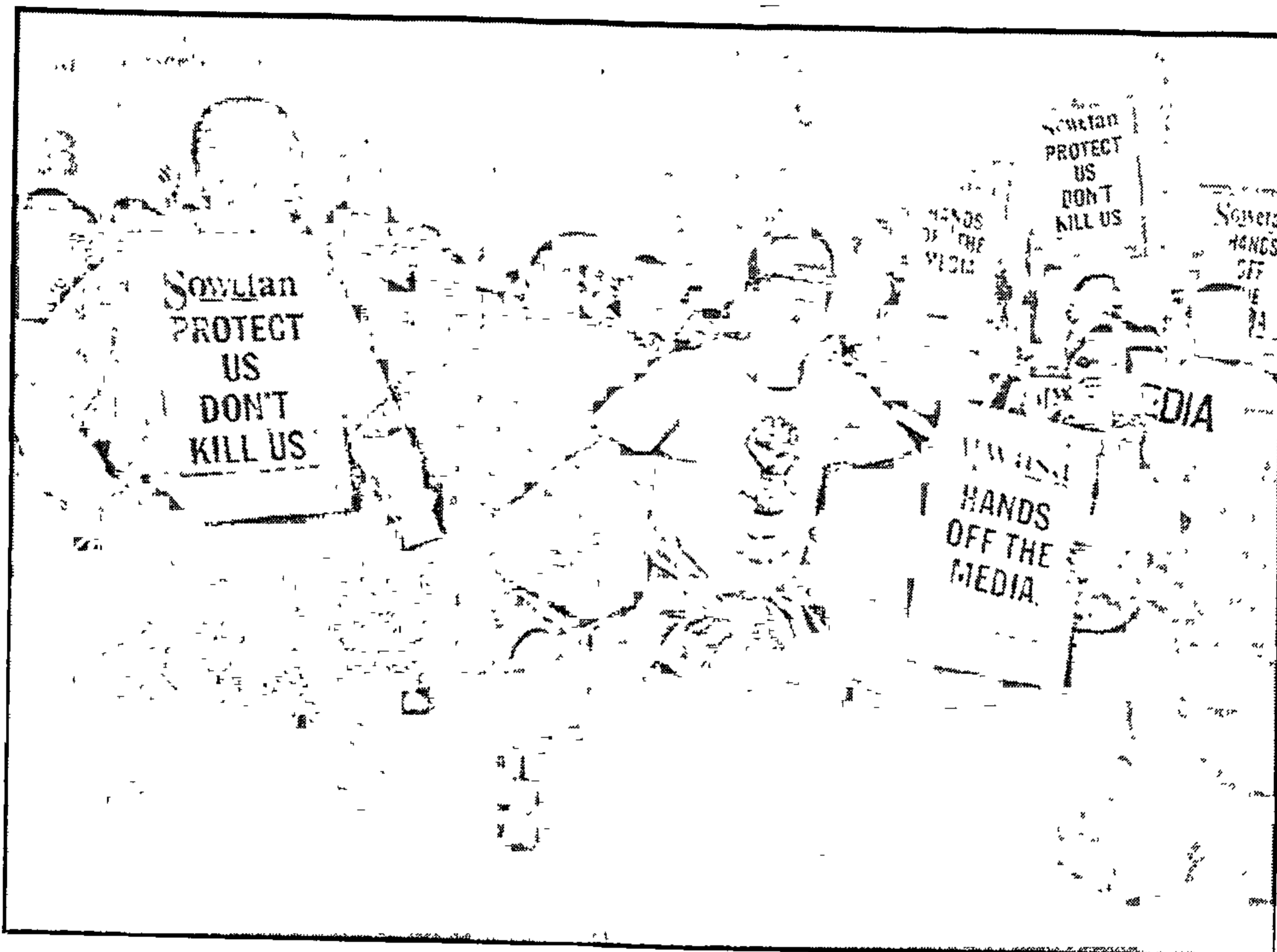
About 100 journalists were joined by Sharpeville residents. Media Workers' Association of SA spokesman Mathatha Tsedu reminded marchers it had been journalists who had spread the news about the Sharpeville killings in 1960.

"Today we have OAU monitors to make sure you

do not kill us," he said, warning that if attacks continued, journalists would not go into the community.

SAUJ president Dirk Hartford said yesterday more than 40 journalists had been attacked since SACP general secretary Chris Hani's assassination 16 days ago. "The only people we can rely on to stop the killing is the community," he said.

Nactu general secretary Cunningham Ngckana said that killing journalists was "going against the grain of the struggle". (243)



BROTHERS IN ARMS: Members of the media joined in a march in Sharpeville to protest against the violence directed at the Press.

Press protest march over killing

243 ~~274~~ ARG 28/4/93

The Argus Correspondent
JOHANNESBURG. — It was a day on which newsmen themselves made the news.

Scores of local and foreign journalists from the print and electronic media converged yesterday on the streets of Sharpeville in the Vaal Triangle to protest against the death of SABC-TV newsman Calvin Thosago.

There was also supportive back-up from blue-collar media workers.

The placard-waving throng, led by church ministers and media union leaders, marched from the heart of the sprawling township to the cemetery.

Cameras and notebooks accompanied photographers on the march — not chasing after

any political leader of note but each other

Sharpeville residents swelled the number of the marchers, while others watched from the sidelines

High-school pupils were dispersed early and many of them joined the march.

The march became reminiscent of political marches as PAC and ANC flags were hoisted, with the community joining journalists in the toyi-toyi

The only exception was a slogan unknown in political circles: "Viva the Freedom of the Press."

Several Casspirs closely monitored the event but the day passed peacefully

A short ceremony was held at the cemetery, where the

marchers also inspected graves which were allegedly desecrated by the AWB.

Mr Thosago, 49, was attacked in Sharpeville at the weekend after the TV crew had gone to the township to film graves damaged by the rightwing.

His colleague, Dudley Saunders, is having treatment at Milpark Hospital in Johannesburg after being hacked with bush knives and pangas

Addressing the crowd at the scene of Mr Thosago's murder, the vice-president of the Media Workers Association of South Africa, Mr Mathata Tsedu, said it was ironic that the media that informed the world of the massacre that took place in

1960 was now being attacked by the people it sought to protect

The general-secretary of the National Council of Trade Unions, Mr Cunningham Ngcukane, said the people of Sharpeville did not kill Mr Thosago but his death was caused by individual criminals

SA Union of Journalists president Mr Dirk Hartford said that since the death of SA Communist Party general-secretary Mr Chris Hani, more than 40 journalists had been attacked in one way or the other.

Mr Hartford condemned the attacks and said it was journalists who reported on the activities of the people and their struggle

Attacked newsman will 'return to job'

Star 29/4/93

243

By Phil Molefe

Lucky-to-be-alive SABC TV cameraman Dudley Saunders, who was seriously injured at the weekend in an attack which claimed his colleague's life, was discharged from Milpark Hospital yesterday and immediately vowed to return to his risky job soon after recovery.

Sporting bruises and serious stab wounds to his body and face, Saunders was visited on his first day home by Johannes Mahlangu, a member of the core panel of chairmen of the negotiating council of the multiparty conference.

Mahlangu, who is also Le-bowa's Minister of Education, said he would table a report tomorrow at the multiparty conference at the World Trade Centre on the recent spate of attacks on journalists.

"The press must be free and journalists must have access to enter all areas without any hinderance," he said.

Saunders was hacked with knives and pangas in Sharpeville on Friday while filming

graves desecrated by right-wingers in the township. His colleague, Calvin Thusago, died shortly after the attack.

Saunders said he stared death in the face as his assailants landed their blades on his body. He said he would not have difficulty in recognising two of his attackers if he saw them again.

"I feel terrible and extremely shocked by Calvin's death. It was a sad thing to happen but I hope this will send a strong message to communities that journalists have to do their work without hinderance," he said.

● East Rand police have arrested another two suspects in connection with Monday night's Katlehong attack on Worldwide Television News cameraman Sam Msibi, Sapa reported yesterday.

Earlier, six men were arrested in connection with the attack in which Msibi was shot five times while on his way home from work. His car and TV camera were stolen.

All eight suspects are to appear in the Alberton Magistrate's Court today.

HERE have been two strange developments in the English language print media in the wake of Chris Hanu's assassination.

Leader writers and columnists across the spectrum of the "English" Press first lashed out at the SABC for having demonised the slain SACP general secretary during his lifetime instead of informing the public at large about what the man really stood for, and then hit on ANC Youth League president Peter Mokaba for making inflammatory statements during and around the commemoration services.

Both sets of accusations raise questions about the media itself. Questions like: where was the English Press during the past two years in telling its readership about Hanu the negotiator, the man concerned about peaceful solutions, or, for that matter, the private man? Where was a reflection of the confidential briefings that Hanu gave to journalists or of insights gleaned in off-the-record interviews, which we are now told took place? The SABC incidentally stopped demonising Hanu a couple of years ago. Their biggest fault was not putting anything else in its place — exactly the same fault of omission the English language print media itself has been guilty of.

Perhaps even more disquieting questions are raised by the Mokaba affair. Not that the preposterous chant of Kill the Boer does not deserve the strongest condemnation. What the public is entitled to know is why is that condemnation only forthcoming now?

The Not Afraid To Kill the Boers chant has in the post-February 1990 period been an integral part of every single alliance mass action happening, be it a march, a public rally, or any other kind of mass meeting — as PAC officials, piqued at being unilaterally taken to task for their equally repulsive chant of One Settler, One Bullet have repeatedly pointed out. Not that anybody took any notice I have had the same experience. Those to whose attention I brought those nasty songs included individual editors, organisers at Idasa getting-to-know-each-other meetings (once

It's time the print media took a long, hard look at itself

ANN C STARCKE

ANN C STARCKE



by way of explaining why I could not join in the happy toy-foying of the assembled sisterhood), and organisers of a Five Freedoms reconciliation march through Alexandra (when my fellow white reconciliators appeared to think I was not showing quite the right spirit), and I keep arguing about it with senior alliance members themselves.

The former did nothing ANC alliance members have at least the grace to be somewhat embarrassed, before offering the same explanations (shouldn't be taken literally, just a traditional mobilising chant, etc) that PAC officials routinely offer about the settler slogan.

So now everybody focuses on Mokaba, the man officially charged with mobilising the shock troops in the '90s for making SA ungovernable, and who could perhaps be forgiven for thinking he is being made a scapegoat. After all, most of the time when he (or, dare I mention it, other NEC members) have been leading the rallies in the Not Afraid To Kill the Boers chant, the rest of the alliance hierarchy has shared the platform with him.

Until Mokaba helpfully gave us the translation, the alliance killing chants, unlike that of the PAC, have been exclusively in Xhosa or Zulu. Obviously whites, those of the media included, could not be bothered to find out what black compatriots so

passionately sing about when they toy-toy in the stadium aisles or down Main Street, SA.

And while we are at it: could we please now have a line-for-line translation of the official MK dirge that was so movingly sung by Sam Shilowa at Chris Hanu's funeral?

Still on the subject of Peter Mokaba, there was a previous eyebrow-raising remark of his that to my knowledge has never been followed up. Some two years ago, after (subsequently squashed) rumours that Mokaba was an informer, he stressed in an interview with the Weekly Mail that he enjoyed the full confidence of his comrades. If it were otherwise, he said, he would long ago have been eliminated, his death made to look "as if it had been done by the system". He was quoted as adding "as has been done many times before".

I am not the only one who thought at the time that this statement should have brought the combined political Press corps down on him. Instead — nothing. Have the dastardly deeds allegedly committed by the CCB led to the media going soft on the ANC, or was there another reason for such reticence?

Also underreported in connection with the Hanu commemoration protests in Johannesburg on April 17

was the extent to which supposed ANC marchers — identified as such by T-shirts, banners and sashes, and including those in the lead car of the Alexandra contingent — were shouting mainly Viva Apia.

I should like to add for the record that I have personally heard Mokaba — the erstwhile prime proponent of no education before liberation — make a passionate plea in 1991 in front of a largely black audience for "putting the excesses of the past behind us" and turning the liberation struggle into "a struggle for knowledge, with respect for learning that will lead us to an understanding of constitutional options, as otherwise we will not have a true democracy".

Mokaba's speech was not reported in the mainstream media. Nor was that of MK chief Joe Modise in 1992 in which he argued in front of a similar audience for realistic expectations in relation to the structure of the anticipated integrated security forces. I have also not seen a word reported on a recent address by ANC legal expert Penula Maduna at the Institute for Multiparty Democracy; it was one of the most forceful, pragmatic arguments in favour of a government of national unity, in the course of which he impressively demolished the opposing PAC and Azapo positions.

Conversely, at a subsequent meeting a man who called himself an

Apia commander gave a speech of breathtakingly unbridled racist venom — and received the same sort of rapt applause from the same sort of black professional audience that had applauded Maduna. That is the kind of detail an informed public needs.

I would go as far as to argue that the mainstream media's past treatment of the PAC as a bunch of inconsequential clowns contributed to that organisation's outbreak into stepped up violence at this stage of our political development.

Last year's mainstream media silence on the political activities of Winnie Mandela once the ANC had declared her persona non grata — during a period when she toured the country making rousing speeches — left the average reader dumbfounded about her "sudden reappearance" in January 1993, when Mandela chose an occasion (Helen Joseph's funeral) that ensured she could not be ignored.

It must also be said that Eugene Terre'Blanche's much-quoted remark about wanting to have killed Hanu himself was incorrectly reported in every single English language newspaper. What he said was admirable enough without a news agency making it worse.

Omissions of reporting by the mainstream media have another consequence. In my capacity as a political consultant I am constantly struck by the fears expressed by members of the business establishment concerning the depth of skills — or rather the presumed lack thereof — among, especially, the ANC and its alliance partners in relation to the incoming public service.

If there is one area in which familiarity brings pleasant surprises it is in discovering the breadth of new talent within the ranks of the alliance and other formations of the currently still disenfranchised. The general public should be told more about them.

Chris Hanu's obscene death will not have been in vain if we draw the right kind of lessons from it. One of them should be the recognition of our urgent need for a more alert and less parochial media in this crucial period of transition.

Boost for SA weekly

STAR 30/4/93

By Sven Lünsche

(242)

The Guardian, one of London's leading daily newspapers, is to take a minority shareholding in The Weekly Mail.

The Weekly Mail has been printing The Guardian Weekly for more than a year in terms of a joint publishing deal between the two newspapers.

Since then, the Weekly Mail says in a report today on The Guardian move, sales of the weekly newspaper have increased by 30 percent and advertising revenue by 69 percent.

The Mail said The Guardian investment would ensure its long-term future and editorial independence.

In a separate development in London, Reuters reports that

Tiny Rowland's Lonrho empire had received an "acceptable offer" from The Guardian to acquire the world's oldest Sunday newspaper, The Observer.

Speculation intensified last week that The Observer was about to be sold to Newspaper Publishing, the group publishing The Independent, for around £30 million (about R150 million).

The Guardian, which shares the loss-making Observer's left-of-centre political stance, was said to have offered substantially less.

But an offer from The Guardian was said by media analysts to be more sympathetic to The Observer amid speculation that The Independent would effectively close the newspaper down.

Guardian/Mail ties cemented (243)

W/Mail 30/4 - 6/5/93

Weekly Mail Reporter

THE GUARDIAN of London is investing in *The Weekly Mail*.

A year after the two newspapers first signed a ground-breaking joint-publishing deal, *The Weekly Mail* is selling a minority share to the British newspaper

This move will cement the ties between the two publications and provide *The Weekly Mail* with a valuable dose of investment for improvements and developments, while ensuring the long-term future and editorial independence of the newspaper

The deal is a vote of confidence in the future of *The Weekly Mail & The Guardian Weekly*. Coming only a year after the first deal between the two publications, it is the result of a successful year of working together on the joint publication.

Since *The Weekly Mail* starting publishing *The Guardian Weekly*, sales have risen 30 percent on the previous year and advertising revenue 69 percent. Plans are under way to utilise *The Guardian's* investment for expansion and improvements to the newspaper over the next few months. A recent survey of readers has provided important indications of what *Weekly Mail* buyers like and don't like — and this will be used to strengthen and develop the publication.

● *The Guardian* this week bought the world's oldest Sunday newspaper, *The Observer*. The 202-year-old paper was bought from Lonrho, headed by Tiny Rowland

MAY 3: INTERNATIONAL PRESS FREEDOM DAY

Mau-mauing the flak catchers

w/m and 30/4-6/5/93.

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What lies behind the recent spate of attacks on journalists — and will it affect their coverage of township conflict? **ALEX DODD** reports

RISING crime and anarchy — rather than a hostile conspiracy against the media — is the most direct threat to journalists working in the townships

In interviews this week, numerous journalists who cover township conflict dismissed the idea that the 40 attacks on their colleagues since Chris Hani's death were motivated by hatred towards the media. Their impression was that thugs and delinquents had been piggy-backing on the wave of protest in the wake of Hani's murder.

The issue has been propelled into the headlines by two attacks last week. SABC-TV newsman Calvin Thusago was stabbed to death in Sharpeville and his colleague, Dudley Saunders, critically injured, while Worldwide Television News (WTN) cameraman Sam Msibi was shot five times in Katlehong on Sunday night.

Radio 702's Brett Hilton-Barber was struck on the head by a rock thrown by marauding youths on the day of Hani's funeral. Yet, he says, "I wouldn't blame any political party for what happened to me."

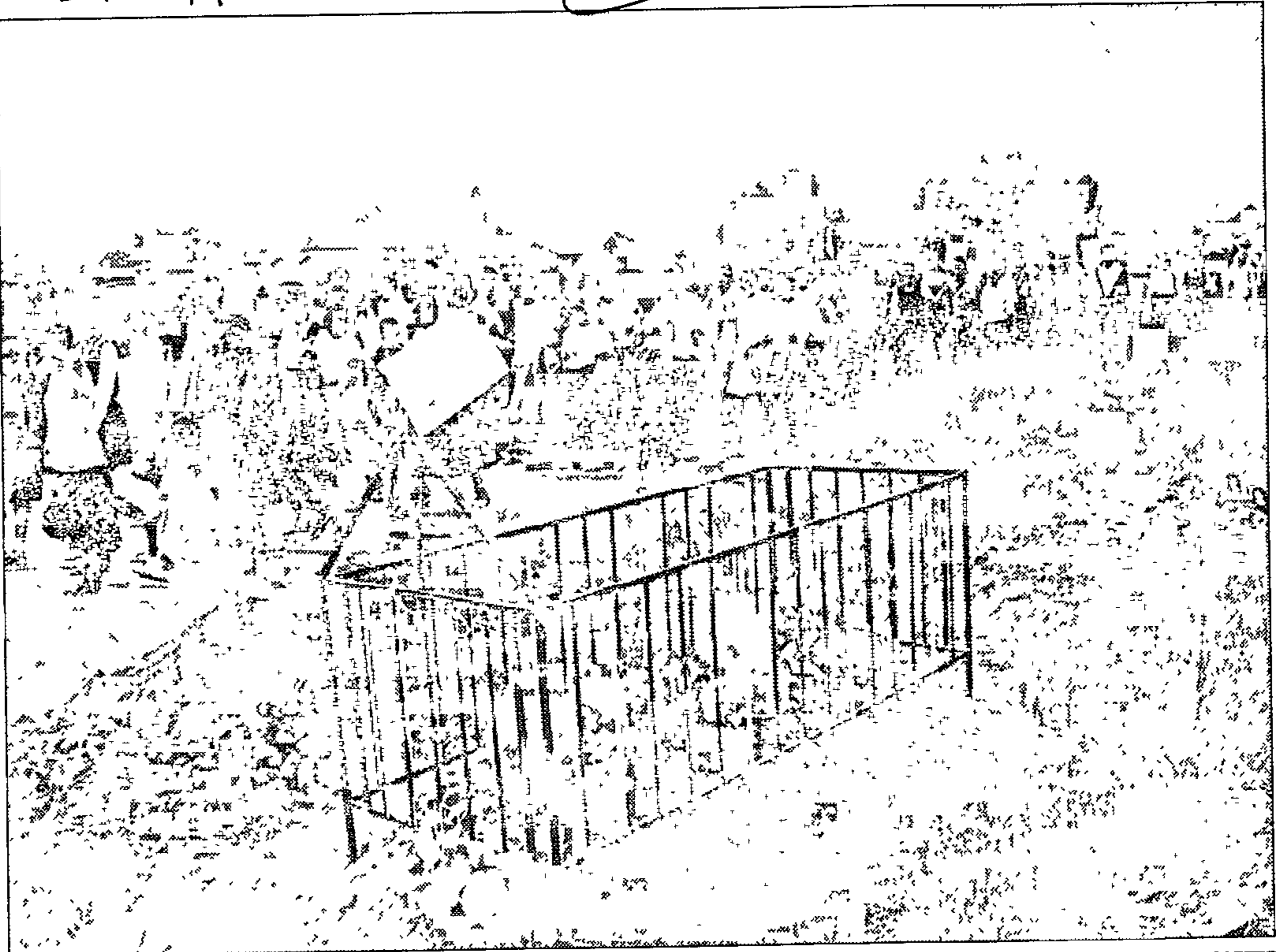
"The attitude of the Foreign Correspondents' Association and others is a bit precious. A life is a life, peace monitors are attacked as much as journalists, and it's not as if people are targeting monitors. We are all just caught up in the anarchy which is the result of the breakdown of law and order."

Hilton-Barber also believes journalists may have come to be seen as an extension of a hated political system. "It's not because we're journalists or because we're white. I don't think there's anyone sitting in a room somewhere saying, 'take out journalists'."

He says he has sensed a change in township residents' attitudes towards whites since the Boipatong massacre. "These days you hear more shouts of 'settler/bullet'. Before Boipatong, we were invisible. It was no problem for us to be there and get on with our jobs. Now there's a more tangible sense of us being symbols in a war between haves and have nots."

A reporter for *The Star*, Bronwyn Wilkinson, agrees that the spate of attacks has not been sparked by a newfound hostility towards journalists.

"Journalists have been spending



Greater unpredictability ... Residents join journalists in a march at the site where SABC-TV newsman Calvin Thusago was killed. Photo KEVIN CARTER

more time in the townships since Hani died, so they've been more exposed to attacks lately," she says. "Journalists are people like anyone else and attacks have risen generally."

"Often the motive for attack is less because you're a journalist than because you're white. But black journalists are just as threatened. They're often faced with intimidation. They're told 'Say what we want you to say, or you won't come here again.'"

WTN cameraman Spokes Mashiyane confirms this. "In some instances it's safer being white than black," he says, "and in others it's safer being black than white. None of us is safe."

In 1991 he was shot in the leg during "Inkatha violence" in Soweto.

"During those times, when things were really heavy I used to have nightmares. It used to affect me mentally and physically," he recalls. "Just recently I've been feeling 'Oh gosh, it's coming back again.'"

"Black journalists are as much threatened as whites. The irony is that

the day I was shot we were saved by a white crew who talked our way out of the situation."

He says black cameramen are often accused of being liars. "The problem is that, as a cameraman, I just shoot the material. The editors cut the material and then we get accused of taking the slants that come across on TV."

Many township residents understand and respect the work of the media, Mashiyane stresses. But the expensive equipment carried by cameramen attracts the "criminal element." In Sam (Msibi's) case, it was sheer robbery. They didn't even know he was a journalist. They just wanted the car.

The unpredictability of township violence is seen as a key danger.

Says Austrian freelance journalist Heidi Rinke: "I spent nine months in Yugoslavia and sometimes I think it was easier there. At least in Croatia you knew which side was which, and where or where not to go. Here you go into the townships and you don't know whether you'll come out or not."

Freelance photographer Greg Marinovich insists "I don't think this thing about 'leave the journalists in the townships alone' is at all valid."

"I think we really are almost sacred cows in the townships. The fact that we've hardly fallen victim to crime until recently is because people respect journalists. The gravest danger is the criminal element."

Media organisations, mainly the South African Union of Journalists, are seeking ways to remedy the situation.

"One idea is that journalists should set up networks of contacts in the townships who they could phone to find out if it is safe to go in," Wilkinson suggests.

Most unrest journalists instinctively take certain safety precautions.

Says Mashiyane: "We try to judge a situation — to measure the mood of the crowd. If we feel that it is antagonistic, we leave immediately. If people tell you to get out, then get out — don't try to justify yourself."

"I often find someone friendly in the

crowd to hang around with — the marshals are helpful," says Wilkinson. "I try to avoid wearing army browns or police blue and I never wear jewellery."

Mashiyane says one rule is to "try not to look or behave like a policeman. If you drive in a car without wheel caps, you could be mistaken for a policeman because most police in townships have cars without wheel caps."

Wilkinson agrees: "I always try to stay away from the police. Being near them makes you as much of a target as they are."

Whether people should visibly identify themselves as journalists has become an issue in the light of the recent media casualties.

"I'm unequivocally in favour of it. The more you show your identity, the less explaining you have to do," says Hilton-Barber.

"If you go in clearly marked, it attracts the attention of the more disciplined members of the ANC/Pan

The flack catchers

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From PAGE 18

Africanist Congress — people who'd come to your help if you needed it."

Says Wilkinson: "Photographers are easily identifiable because they've always got a camera slung around them, whereas writers don't have immediate identification. In Sarajevo they wear T-shirts saying: 'Media — don't shoot.' But then I suppose that way you could be more easily targeted as well."

Hilton-Barber says the attacks have forced Radio 702 to reassess its township coverage. Journalists no longer enter the townships alone or at night, and all cars carry first-aid kits.

"Over the past two years 702 has adopted an active policy, holding sessions for us to discuss our experiences in the field," he says. "Counsellors are available." (243)

"At the end of the day, going in is your own choice. A lot of journalists are ultimately motivated by the credo: 'War is hell, but peace is worse.'"

W/Mail 30/4-65193

No quiet on the eastern front

By BEV GARSON: Port Elizabeth
ADDING to the disquiet triggered by the recent attacks on Reef journalists is a noticeable increase in violence against, or intimidation of, journalists in the politically turbulent eastern Cape/Border region. (243)

Reported incidents since Chris Hani's assassination include:

● *Daily Dispatch* journalists George Galanakis and Mkhululi Bolo were stoned by an angry crowd which attacked the South African embassy in Umtata after a memorial service for Hani. Marshals stopped a part of the crowd from reaching Galanakis and Bolo. Other journalists fled.

● *Eastern Province Herald* journalist Jack Dewes' car was stoned in Uitenhage as he tried to get to an African National Congress media conference.

● *Visnews* journalist Mike Vincent and a cameraman were harassed in kwaZakhele. A crowd rocked their car and pulled Vincent's hair. ANC regional media spokesman Phila Nkayi appealed to the crowd and they were allowed to drive off. — Pen (243)

focus on the media

CALVIN Thosago, the gentlemen's gentleman
This is how colleagues of CCV Television describe the news journalist - known as the gentle giant - from Pietersburg who fell to the knives and pangas of Sharpeville hoodlums last Friday.

It had been just another assignment. Suspected white fascists had desecrated the graves in the township, writing AWB in red paint.

Thosago and a colleague, Dudley Saunders, went to cover the story but never returned home. They were attacked and Thosago died. Saunders lived to tell the tale.

A tale of Thosago screaming that they were newsmen in the hope that this would save them. But it was not to be.

Thosago died in the surgery of Dr Nthato Tshabalala and, in death, joined many other journalists throughout the world who have died in the line of duty.

Ninety hours after Thosago died another television cameraman, Sam Msibi, survived five bullets after an attack on the East Rand by a number of men.

Suddenly what had to many looked like a cozy job turned topsy-turvy and another life in the front line.

But then that is what journalism has always been about. A scan through the files of newspapers shows a sad tale of abuse, harassment, detention, injury and death.

And it is not restricted to this country, as the following statistics reveal.

In 1990, 46 journalists were killed, 84 in '91, 49 last year and 11 so far this year, including Thosago.

One thousand two hundred and sixty four cases of abuse and assaults were reported in 100 countries in 1991, while 1 600 were reported last year. One hundred journalists were in prison by March this year, with 16 of them in Africa.

The Brussels based International Federation of Journalists, which represents over 300 000 journalists in 87 unions including the Media Workers Association of South Africa, said this week that a crisis was gripping journalists throughout the world.

In the 1970s, many journalists were gunned down by dictatorial regimes. These were replaced by drug cartels in Latin America in the '80s, with at least 60 journalists killed in Colombia alone between 1977 and last year.

The international scene continues to change however, and many journalists are being killed in the civil wars raging in Europe. Thirty one journalists died in Yugoslavia between June 1991 and March this year.

Fifteen journalists were killed in Turkey during the past 16 months, many in the war-ravaged Southeast where the Kurds are pitched against the Turkish government.

A routine assignment for two journalists ended one of their lives. Media people are not only being caught in the crossfire but are becoming targets of militants. Investigations Editor **Mathatha Tsedu** reports:



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Thosago and a colleague, Dudley Saunders, went to cover the story but never returned home. They were attacked and Thosago died. Saunders lived to tell the tale.

Figures compiled by the Committee to Protect Journalists show that in Africa alone, at least 378 incidents were reported last year, involving 294 journalists. This means that some journalists were involved in more than one incident.

Back here at home, the picture is no better. While in the '70s and '80s the State had made journalist bashing its major preoccupation through arrests, assaults and detentions, the picture has changed over the last few years.

As documented in the Institute of Race Relations' book, *Mau Mauing the Media*, activists of all political colours became the major culprits in hampering journalists in their work.

Many a black journalist will tell anyone will-

The Brussels based International Federation of Journalists, which represents over 300 000 journalists in 87 unions including the Media Workers Association of South Africa, said this week that a crisis was gripping journalists throughout the world.

ing to listen about personal experience at the hands of militant activists who see any complimentary story about their organisation as treason.

A look at South Africa over the last three years shows that three journalists, two of them SABC staff members, were killed in the line of duty.

They are:

- SABC staffer Thomas Sibuya who was burnt in his car in Durban in September 1990

- Visnews journalist Aziz Tassiem, died in another car accident returning from a job

- SABC cameraman Hector Nkwanyana, knocked down by a car as he filmed a march in Pietermaritzburg

Statistics compiled by the SAJJ, which are a mere reflection of those incidents actually reported to them, show that 13 journalists were attacked in 1991, with one shot five times.

Five received death threats.

Forty six journalists were victims of harassment last year, with 27 seriously injured in attacks. Seven of these were shot at.

This year alone, at least 60 incidents have been reported, with 44 of them in the past 20 days. Many of the incidents occurred at the memorial services and funeral of SACP chief Chris Hani.

In the latest attacks on journalists, two trends emerge:

One is the deliberate attack on journalists because they are journalists. These attacks are primarily political and the Hani attacks fall in this category.

On the other hand, with the current violent conditions that prevail in many black areas and the resultant crime, journalists are being caught in the crossfire.

They are attacked because their attackers want their cars or cameras and other expensive equipment. These attacks are random and the Thosago and Msibi cases fall into that category.

Education could reduce the deliberate attacks to some extent, but the criminal attacks will stay with journalists until the social problems that give rise to crime have been eradicated.

Will this ever be possible? Or should journalists just grin and go on, ensuring that they themselves are equipped to deal with situations that arise?

Hands off the Press warning by Azanyu

Sowetan 30/4/93, 243 (175/278)

■ **'Uncompromising stand against harassment, attacks':**

THE Azanian National Youth Unity, a youth wing of the Pan Africanist Congress, yesterday announced it would take "an uncompromising stand" against those who harassed and attacked journalists

Azanyu said in a statement it planned a summit of "all organisations and structures" in Vereeniging to discuss the safety of journalists covering news events in Vaal Triangle townships

It also called on the youth to hold a picket with the banner "Salute Journal-

ists, Support Democracy" outside the Benoni Magistrate's Court on Friday morning when suspects are to appear in connection with the shooting of television cameraman Sam Msibi

Another picket would be held outside the Vereeniging Magistrate's Court on Monday

On Thursday, a meeting to discuss attacks on journalists would be held with officials of the Media Workers Association of SA and the South African Union of Journalists

Lament the day when the pen is chopped in half by the sword

Star 15/93

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JOURNALISTS, sans notebooks and cameras, hoist placards and march through Sharpeville. They are demonstrating in favour of their right not to be killed or beaten while doing their jobs.

It is an unusual demonstration, for which I cannot recall a parallel in other countries. Journalists picketing Parliament, yes, their own managements, certainly, but their readers? The "Protect Us, Don't Kill Us" posters will become another unique bit of South African.

Aspirant writers among young South Africans, if they have any sense, will be thinking twice right now before opting for journalism as a career. The reasons are obvious: journalism in the field is today more dangerous than it has ever been — joining a bomb disposal squad seems a reasonable alternative. This is a sad state of affairs, but one that needs to be placed in its proper context if we are to find ways of rectifying it. Hysteria is usually inaccurate.

The attacks on journalists have been horrible and alarming in their implications for the future, but of course a journalist's life is no more or less valuable than an ordinary citizen's. These latter have been dying in droves for several years. There are a couple of reasons why the gruesome attacks on reporters have received so much attention. One is that, naturally enough, other angry and frightened reporters have the power to make these big stories. Another is that when the representatives of press freedom are attacked, so is press freedom itself. That is what I think we should focus on.

First, some necessary observations about the nature of the attacks. It seems, though it is not certain, that the motivation for the recent spate has been largely criminal. In this sense journalists are like other defenceless targets; just a little more attractive because they're carrying expensive equipment. Allied to this, though, is an especially ugly mood among the lawless elements of the youth. Few experienced reporters have failed to notice the new, vicious antagonism towards the media that has taken hold in the ranks of the *abosiyaanyova*.

I think political parties, notably the ANC,

UNDERCURRENT AFFAIRS

SHAUN Johnson



THE problem is that we are not living in a tranquil, settled country. A report that is regarded as 'responsible' in Ulundi is likely to be considered traitorous in Sharpeville, and vice versa.

bear some responsibility for this perception, because they have resorted so often to sweeping denunciations of "the media", as if it alone is responsible for much that goes wrong, and as if it is a monolithic thing, acting in concert and with common purpose all the time. I first noticed the uglier mood at the Boipatong funeral — it emerged after a day of bitter, angry speeches, most of which contained ritual condemnations of "the media".

As in other areas of political life, these loose, catch-all words greatly increase the chances that hotheads will take the rhetorical targets and turn them into physical ones.

None of this is to say that the media is flawless, or blameless. Far from it. There has in our period of transition been much to be ashamed of. There have been examples of distortion, disinformation, scare-mongering, and an enduring inability to see events from someone else's — particularly a voteless someone else's — perspective. But there has also been, in far greater measure, responsibility, innovation, open-min-

dedness and growth, a willingness to learn with and change with the country. There are countless examples, and not only in the print media: the excellent, brave effort by Weekly Mail Television to humanise and make explicable the efforts of the peace structures stands out among them. I don't know whether politicians are sufficiently aware of the scale of the myriad efforts within the media to play a constructive role — and if they aren't, you can be sure their followers lag even further behind.

The journalists' protest was an attempt to appeal to "the people", above the heads of the leaders. The politicians riposte that if the media is "responsible", the communities will take them to their hearts. The problem is that we are not living in a tranquil, settled country. A report that is regarded as "responsible" in Ulundi is likely to be considered traitorous in Sharpeville, and vice versa.

What we need from the leaders — all leaders — is not offers of trained party "minders" to escort us into one area or another (that is little different to covering a protest exclusively from the inside of a Casspir), but a commitment to convincing their followers that the whole media is a vital organ of democracy, and one that must be protected whether you like it or not.

What we journalists do in this period will live with us for a long time, and that is a heavy responsibility. I've long argued that what distinguishes our press from, say, Zimbabwe's is the fact that parts of it were good, even in the bad times. The press was not simply a propagandist for the apartheid regime — although the quality of the various newspapers' opposition will long be a subject for historical debate — and therefore it will not easily become a slavish apologist for the new order.

But I based my confidence on the assumption that the broad public understood this, respected it, and valued the imperfect role of the media in itself. Now I'm not so sure. There is no natural affinity for press freedom within any of the country's biggest political parties. For the moment, then, the challenge to the media is to persuade the people to persuade the politicians.

Revulsion over media attacks

By THEMBA KHUMALO

THE recent killing in the Vaal of a SABC TV cameraman by youths has infuriated hundreds of journalists across the colour line and has placed the spotlight on the future of press freedom under a future black government.

Calvin Thusago, 49, was murdered last week in cold blood by Sharpeville youths who confronted him and his colleague, Dudley Saunders, during their assignment to report on the desecration of graves by alleged rightwingers.

Saunders is recovering from serious injuries in hospital after he was stabbed several times. Three suspects were later arrested by local ANC youths.

Barely five days after the attack on the two, another cameraman, Sam Msibi, who works for Worldwide Television News, is fighting for his life in hospital after being shot five times by assailants at Thokoza near Alberton on Monday evening.

His car and cameras were stolen, but police arrested six men in Pretoria on Tuesday.

At a protest march attended by scores of journalists and Sharpeville residents in the township on Tuesday, the message was on the wall for those who thought reporters were easy targets for robbery and murder.

"Hands off journalists",

"Press freedom - no lip service please!", and "Hooligans - a news blackout is looming" read the banners as reporters, joined by hundreds of local residents, marched down the main streets of the township. (243)

"Please don't turn your back on us," appealed Rev David Kelebogiloe who spoke on behalf of Sharpeville residents.

In future the residents would personally ensure the safety of media representatives working in the township, he said.

"You were with us in the dark days of the states of emergency when the government tried to bar you from reporting their atrocities in black townships. Why should we turn against you now?"

More than 40 journalists have either been assaulted or manhandled by township youths since the killing of the SACP leader Chris Hani, according to the president of SA Union of Journalists, Gerhardt Hardford.

Although the march is thought to have sent a message to political leaders to control their supporters, journalists have expressed reservations about their freedom of movement in the townships.

The attacks come at a time when harassment of journalists was expected to scale down following the unbanning of political

organisations in 1990. Now, journalists are saying very little has changed.

Editor of *Tribute* magazine Jon Qwelane relived his harrowing experience eight years ago at the hands of youths who staged a night raid at a house where he was staying with local activists to cover the unrest in Uitenhage in the eastern Cape. He was a reporter for *The Star* then.

The enraged mob of about 200 men were apparently looking for a police informer believed to be hiding in the house, Qwelane said.

They arrived at the house at midnight and threatened to burn it down and "everything associated with it if the activists did not produce the dog".

Because he was unknown in the township the mob thought he was the culprit. His Newspaper Press Union card did not help - it had been issued in agreement with the Commissioner of the Police. Youths had demanded to know what sort of "agreement" he entered into with the police.

However, he was saved by older men in the group who shone their torches in his face and said he was not the wanted man. His identity card as an employee of *The Star* and a return air ticket also stood him in good stead, said Qwelane.

Then a second mob from another township which was also

looking for the same informer had arrived. Luckily the group was met by elders of the first crowd who again cleared Qwelane.

Tribute deputy editor S'bu Mngadi also remembered his harassment by politicians and criminals in Durban where he ran the City Press bureau.

In February this year a senior ANC Southern Natal region official had threatened him after calling him a "trained government spy".

This was after Mngadi had written about the tension that existed between the young supporters of the ANC Natal Midlands chairman, Harry Gwala, and the national executive committee of the organisation, Mngadi said.

He had reported the incident but did not believe any action was taken against him.

A Sunday newspaper photographer who did not want to be identified said he was accused by a senior Inkatha leader in the Transvaal at the party's rally at George Goch Stadium last year of wearing suits bought for him by Winnie Mandela.

"The man, who was surrounded by his henchmen, manhandled me and warned me against continuing to publish bad things about Inkatha," said the lensman.

Treated Hani 'like God' so journo is given hell

C/Press 2/5/93

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By FRED KHUMALO

A RADIO Zulu journalist, who treated Chris Hani "like God", has been given hell.

Roving reporter Mtholephi Mthimkhulu delivered a moving message of condolence for Chris Hani, but was later reprimanded by station manager Rev Hawu Mbatha.

Mthimkhulu was accused of "over-zealous" coverage.

Critics have slammed the move as an indication that the SABC still clings to its conservative, pro-Nationalist past.

SABC's Natal Radio news editor Judy Sandison confirmed that Rev Mbatha had complained about Mthimkhulu's reportage to her.

However, she hastened to add that Mbatha was merely "placing on record" complaints from listeners who thought the Hani funeral coverage was overdone and over-emotional.

Mtholephi, a few minutes after the news of Hani's death was broken, played an impromptu

dirge on radio and eulogised Hani

Liberation songs were also played.

Mtholephi, who was also on the air in the aftermath of the chaos that broke out in Durban and Maritzburg during the marches in protest against the murder of Hani, called for discipline and asked people to restrain themselves.

Callers to a talk show later on the station slammed him for being biased towards the ANC, a charge he has rejected on previous occasions.

The criticism was not confined to outside callers - some of Mthimkhulu's colleagues thought he had gone overboard.

In fact a source close to Radio Zulu told City Press that the coverage of the Hani story had created tensions between staffers at the station with some siding with Mthimkhulu and others saying the Hani story had received "preferential treatment - as if Hani were God".

"Some staff members said Hani was given pref-

erential treatment just because he was a Xhosa," said a source.

"Other leaders who recently died - such as Reggie Hadebe, (former ANC Natal midlands deputy chairman) Winington Sabelo (the late Inkatha central committee member), and S'khumbuzo Ngwenya, (the late ANC Maritzburg leader) - were not given such in-depth coverage as was accorded to Hani because they were Zulus," said the source.

Although she was concerned with the complaints relayed to her by the Radio Zulu station manager, Sandison said in her capacity as news editor she was highly impressed with Radio Zulu's coverage of the Hani story.

"Our coverage was based on journalistic principles. However, we have to attend to our listeners' needs and listen to their complaints."

Sandison said the Hani story deserved the kind of coverage it received.

TOO
RADIO
ACTIVE

Newspapers: weak link in the democratic chain?

(243)
STIMES
2/5/93

THE deficiencies of South Africa's English newspapers have been brought into sharp focus by the assassination of Chris Hani and the events that followed. Under stress, the fracture lines show up.

The newspapers stand accused not so much of malice as of muddle, of inadequacy. Anna Starcke, political analyst and former journalist, this week raised the uncomfortable question why did the media, having demonised Chris Hani as a man of violence, fail to correct the image when he turned to peace-making? Why, for that matter, has the press not until now recorded the chant of "Kill the Boer" that crops up regularly at funerals? Why wait until youth leader Peter Mokaba uses the phrase, and then beat him to death with it?

The dangers inherent in distorted public images during this period of transition are obvious, but Anna Starcke's observations are not new. A few years ago, as John Kane-Berman of the Institute of Race Relations and Jill Wentzel of the Black Sash pointed out, right-wing violence was roundly condemned, but violence from the left was covered by an obdurate and politically correct silence.

And, indeed, the reporting of the aftermath of Hani's assassination has concentrated on the fairly limited mayhem caused by young thugs, to the exclusion of the admirable (and effective) efforts of ANC leaders, from Nelson Mandela and Cyril Ramaphosa to the earnest squads of anonymous young marshals. Lack of balance has contributed greatly to the dangerous emotionalism which now threatens this society.

The sins of the newspapers are enduring. More than a decade ago the deputy editor of the Rand Daily Mail, Benjamin Pogrund, wrote to his editor, Allister Sparks, in much the same vein as Anna Starcke's criticisms. At the time the popular wisdom held that the Rand Daily Mail had alienated its advertisers and its white readers by an editorial policy which was "too radical".

Not so, argued Pogrund. There were other causes. "We have a large credibility gap — lack of balance in our presentation, (which) applies from page to

page as well as, all too often, to individual reports." In labour matters the paper failed to represent fairly the views of employers, and in church matters it offended Afrikaners because it did not properly explore the "establishment view".

"There is no short-cut to gaining increased advertising and transforming the paper's financial position," Pogrund concluded. "It can only come when we have readers and when our reputation is good. If we are to withstand current pressures on us for a change in editorial policy, we must show we are aware that problems exist."

Pogrund's memo was perhaps the truest word ever written about the closure of the RDM, but the industry has never fully faced up to his astute criticisms. Especially, it has failed to examine the underlying causes of poor editorial performance. By the time Pogrund made his analysis, the RDM was a shattered organisation, demoralised and run down, in a shattered institution.

These facts have seldom been publicly admitted, and never properly faced. As a result wrong conclusions have been drawn from the failure of the RDM, and the one true lesson of its demise — that an independent newspaper must be profitable — has been learnt too well. Since the closure of the RDM the major newspapers have been turned sharply away from their social and political functions, and have been made into instruments of profit.

IN order to be profitable, sometimes highly so, newspapers have generally moved downmarket, avoiding the difficult, onerous or costly tasks of good journalism in favour of a frothiness that, at this stage of our history, is almost obscene.

About 30 years ago the Star in Johannesburg was a good, if provincial, newspaper of record, today the closest thing we have to a newspaper of record is the under-funded, rather shabby, right-wing tabloid, the Citizen. Only the Weekly Mail, launched and controlled by journalists, has unashamedly set itself the aim of journalistic excellence and made its commercial functions

serve that end. For the rest, profitability has relegated journalism to second place.

The consequences are pernicious. The difficult tasks of reporting and analysis, whether in politics or health or education or urban decay or human development or taxation or economic growth, have given way to lettuce diets, gossip and such minor diversions as advice on improving sex in marriage.

The political impact of this trend is often overlooked. Perhaps one example will explain a decade or two ago newspapers outside Natal abandoned the provincial councils and provincial governments, finding it cheaper and easier to focus attention on the central government.

In the course of time, as the provincial administrations drifted from public consciousness they became complacent, inefficient, often corrupt, and the private domain of second-rate politicians. When they were finally abolished, hardly a tear was shed for the loss to democracy — not even by those who now clamour for strong regional government.

THE returning ANC exiles are, almost without exception, shocked by the poor quality of the newspapers, intellectual elites share their scorn, and so do the barons of industry and civil service, many of whom elevate know-nothingness into a virtue and proclaim that they "don't read the papers".

Politicians, of course, squabble to control, or frighten, or seduce what they see as mere instruments of deceit, of propaganda.

The newspapers themselves, starved of capital, skills and leadership, struggle on, doing the best they can. Their efforts are sometimes, in my self-serving view, quite heroic, but Pogrund's analysis remains as fresh and valid as Starcke's criticisms. The press offers more illusion than illumination.

Indeed, I greatly fear that when democracy does come to us the press may prove to be the weak link that causes it to fail.

KEN OWEN

Journalists working in the shadow of death . . .

WAT 93
31ST 93
(243)

Editors tell of the drama and the struggle

A message from AIDAN WHITE, general secretary of the International Federation of Journalists, on International Press Freedom Day

THE wave of violence against journalists and media workers in South Africa over the past three weeks brings the notion of an international celebration of press freedom into sharp and fragile focus

International Press Freedom Day, on May 3, is one of the newest dates in the United Nations calendar. It was chosen to mark the date two years ago of a ground-breaking international conference in Windhoek

The Windhoek Declaration sets out the principles and strategies for making the world a global glasshouse where democracy and freedom of expression give all peoples, rich and poor, black and white, men and women, the right to know about and the right to speak about what is going on in their society

But don't speak too soon. The brutal and outrageous acts of violence against journalists in South Africa in recent weeks, almost 50 attacks culminating in the shocking murder of Calvin Thusago (of the SABC), illustrate how much has to be done to make the International Press Freedom Day dream come true

All around the world, the IFJ counts the human cost of democracy to journalists and other media workers

Last year more than 60 journalists were killed. Hundreds more were beaten up, threatened, and detained without trial. Turkey, Bosnia, India, Colombia, South Africa, these are the hot-spots

But the type of work that journalists do always puts them at risk. There was only one death in the horrifying IRA bomb which devastated the world's financial centre in the City of London a few days ago — a journalist rushing to cover the event. In Japan two years ago 15 journalists, ignoring official advice and competing vigorously for the same story got too close to a temperamental volcano and were wiped out

Journalists are slowly learning that they have to help themselves rather than rely on action from the authorities. Many politicians who will often put their names to worthy declarations about democracy and press freedom, are often just as interested in putting pressure on media as Colombian drug dealers or Bosnian terrorists

In a world where technology means that the media message can be transmitted almost instantaneously, where people in richer societies can sit in their armchairs watching live coverage of bombs over Baghdad or a fire raging in the Texas siege in which children are dying, journalists and media workers become dangerous people

They are dangerous to those who don't want to play the democratic game, and who are ruthless in defence of their economic or political power

The evidence of the past few years is that the rapid changes in technology have not made the world a safer place for media workers. Indeed, it is becoming more dangerous

ment as before

But for two-thirds of the world's population it is a matter of profound irrelevance. The world media revolution has left untouched the mass of peoples in South Asia, China, Latin America and Africa

In the rural areas the struggle for survival is painful and in the teeming cities, life is, as John Masefield, noted, a long headache in a noise street

Mass media should be a liberating force, providing people with access to information that will allow them to intervene to improve the quality of their own lives. Development policy, for instance, whether in Africa or Asia, is a matter for the people themselves to decide. They can only do this if they have access to media

May 3 is a day when we should remind ourselves of the need to open up the global village and its media revolution to everyone

Democracy depends upon it. And for many of us, as the tragedy of Calvin Thusago and other victims of violence shows, it is also a matter of life and death

THE full meaning of International Press Freedom Day — observed today — will be underlined by the publication this month of the words and works of at least 50 South African newspaper editors, reporters, photographers and cartoonists.

Their stories and their experiences under an authoritarian government are told in the book *Editors Under Fire*. The book is a particularly strong reminder of the importance of press freedom in a country where it has huge and immediate relevance

While the press is now relatively free — for the first time in 50 years — journalists are being threatened by mobs with death and injury, and politicians are debating how to protect freedom of information

The need for protection of freedoms is vividly illustrated in the book by Harvey Tyson, about to be published by Random House. Tyson is former editor-in-chief of the Star, and his journalistic career spanned the entire apartheid era

The book shares the drama and the struggle of newspapers, not only to survive, but to oppose every apartheid law. *Editors Under Fire* draws on the work of at least 30 South African newspaper editors. Apart from these, Tyson persuaded 14 editors and senior journalists to contribute their personal experiences directly to the book

They write about being interrogated in jail without trial, about investigating corruption and State murders, about protecting sources, about revelations of scandals as well as about their own less serious editorial antics

Other contributors to the book include Nelson Mandela, president of the ANC, Helen Suzman, former MP and "press freedom fighter", Lord McGregor of Durris, chairman of the World Association of Press Councils, and Anthony Lewis, New York Times columnist and commentator

Fighting to ensure pen stays mightier

Star 3/5/93

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IN SOUTH Africa, as in many countries around the world, being a journalist has increasingly become a dangerous, even life-threatening occupation.

According to the South African Union of Journalists (SAUJ), at least 59 journalists working in South Africa have been attacked since the beginning of the year One, SABC journalist Calvin Thusago, was killed while on an assignment in Sharpeville, near Vereeniging, two weeks ago.

The global picture is just as serious. Aidan White, general secretary of the International Federation of Journalists (IFJ), said his federation had recorded the deaths of more than 60 journalists last year. Hundreds more "were beaten up, harassed or censored".

Commenting on the threats faced by South African journalists, SAUJ president-elect Yvonne Grimbeek said "The killings and attacks on journalists must stop now. The current situation in South Africa, where journalists are being attacked daily, is simply untenable.

"Every time a journalist is prevented from covering a story, the community loses out. Every time a story is not written, the free flow of information is denied the people of South Africa."

As the country moved towards a new, transitional phase, the role of the media

Today, International Press Freedom Day, should be a day of celebration for journalists. But journalists' organisations are concerned about the increase in attacks on media workers, reports COLLEEN RYAN.

was more vital than ever "

Grimbeek added that action, not platitudes, was needed: "We need a concerted effort at grass roots level to inform and educate people about the role of the media.

"Unless this action is taken, and unless journalists are guaranteed their safety, the time will come to take a stand and refuse to report where our safety is at stake."

The call for concerted action to back journalists was supported by White.

In a statement to mark International Press Freedom Day, White said solidarity of journalists throughout the world was needed. But in addition, he said, co-operation had to be extended:

● There had to be strong links with other media workers and trade union movements.

● Coalitions with editors and publishers were needed to strengthen the industry's resolve to defend press freedom

● Alliances had to be forged with freedom-of-expression organisations and the world human rights movement

The view that journalists need broad-based support has been supported by the UN Educational, Scientific and Cultural Organisation

Unesco director-general Federico Mayor, in a statement to mark International Press Freedom Day, said obstacles to the development of an independent press around the world should be removed wherever they occurred.

He stressed the need for governments to draw up constitutional and economic frameworks which would nurture a free press.

● The full meaning of International Press Freedom Day — observed today — will be underlined by the publication this month of the words and works of at least 50 South African newspaper editors, reporters, photographers and cartoonists

Their stories and their experiences under an authoritarian government are told in the book *Editors Under Fire*.

The need for protection of freedoms is vividly illustrated Harvey Tyson's book, about to be published by Random House. Tyson is former editor in chief of The Star and his journalistic career spanned the entire apartheid era □

NEWS IN BRIEF

Wiehahn task group

THE Manpower Department has appointed a task group under the chairmanship of labour specialist Prof Nic Wiehahn to investigate the Industrial Court.

The group includes employer, trade union, government and Industrial Court representatives and its investigation will cover the administration of the court as well as its presiding officers.

The court has had credibility problems — especially as far as unions are concerned — because of the unpredictability of a perception that it is geared to management needs.

Christian TV opens

CHRISTIAN Network, televised on M-Net's spare transmitter, began its first broadcast yesterday with a discussion programme including President F W de Klerk and church leaders.

De Klerk said the roles of state and church often overlapped but that the two should not interfere with each other's sovereignty.

Freedom in focus

VIOLENCE against journalists in SA in the past three weeks has put Press freedom in "sharp and tragic focus", says International Federation of Journalists general secretary Aidan White.

In a message issued to mark the UN's World Press Freedom Day, White said. "The brutal and outrageous acts of violence against journalists in SA in recent weeks () illustrate how much has to be done to make the World Press Freedom Day dream come true."

Pringle awards

THE English Academy of Southern Africa has invited submissions for the Thomas Pringle award, sponsored by the Achievement Management group of firms. Awards will be made for reviews of plays, books and TV series, educational articles and poetry published in 1991 and 1992. Entries must be submitted by May 31.

REPORTS Business Day Reporters Sapa

SA recovery 'in political hands'

Bloom 3/5/93

LINDA ENSOR

CAPE TOWN — The gradualist approach towards lowering the exchange rate through fundamental economic reform heightened the risk of the process being sabotaged by politicians, Board of Executors (BoE) senior portfolio manager Rob Lee said in the latest Investment Outlook.

He urged the speedy implementation of the objectives outlined in the normative economic model (NEM) in order to enhance the international competitiveness of SA's economy. These objectives included the abolition of exchange control, lower and simpler import tariffs and the abolition of the import surcharge.

"Our concerns about the implementation of the NEM boil down to a fear that 'political realities' will prevent an adequate reduction in the size of the public sector and impose a far too gradual timetable for the lifting of exchange control and tariff protection," Lee said.

Instead of lowering consumption expenditure's percentage of GDP by merely holding government spending levels in real terms while economic growth resumed, the absolute size of government needed to be cut first.

Lee felt it would be appropriate to implement the economic model within the next few months when the international economy had begun mov-

ing into a sustained recovery.

While the economy had the potential to grow at rates of 4% and more in 1994/95, this potential was unfortunately in the hands of the politicians. The lack of rapid political progress would probably result in another year of negative growth, while mass action campaigns would also worsen prospects.

Lee pointed to several favourable factors, such as the improved prospects for the international economy and commodity prices, the uptick in the dollar gold price; and agricultural recovery. A reduction in interest rates before year-end was possible if the capital account improved.

He believed a boom in commodity prices would make the economic adjustment process less painful. The commodity cycle might be close to its bottom, although slack demand and high levels of stock meant there would not be a significant strengthening in prices until well into 1994.

"A sustained uptrend in commodity demand and prices from the mid-90s may yet provide SA with an opportunity to lift itself off its 'low road' economic growth path," Lee said.

The dollar gold price had technically broken its long-term bear trend, while fundamentally gold's supply-demand situation was very positive.

Delta invests R195m in tooling upgrade

TRACY SCHNEIDER

DELTA Motor Corporation has invested R195m in tooling and improved plant technology for the launch of the new Opel Kadett and Astra.

MD Willie van Wyk said Delta had passed the "true test", funding investments solely out of cash reserves without resorting to borrowings.

Delta had been profitable for each of the past six years, he said. The way forward now was to focus on customer requirements and the elimination of inefficiency and waste.

The Astra is Delta's first completely new passenger car.

Adam Opel AG chairman and MD David Herman said at the launch of the Astra that Delta played an important role in Opel's global sourcing and development of international export markets. An Opel audit of the new Astra and Kadett had endorsed Delta's quality levels as being on a par with those at Opel's European plants.

Bloom 3/5/93

Bloom 3/5/93

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The price for doing our job may be too high

BIPM 3/5/93

LLOYD COURTS

THE murder of a journalist and the beating of another in Sharpeville has changed the mood among people used to reporting events in the country's troubled townships

Journalists have been harassed, arrested, teargassed, shot at and smacked about. But this did not mean they were in mortal danger.

Then a colleague was killed and another seriously injured.

Calvin Thusago, an SABC reporter, was attacked by thugs, and died of his wounds. Cameraman Dudley Saunders was rescued by police, but not before coming within an inch of losing his life.

Until Thusago's death recent events in Soweto, Katlehong, Vosloorus and Sebokeng were covered with nothing but the usual trepidation and a tight feeling in the gut while approaching a barricaded roadblock guarded by militant youths, armed and foul-tempered.

Marches, demonstrations, commemoration services all seemed the same on the surface. But journalists were beginning to experience an active, open hostility.

After hearing of Thusago's murder many started calculating the odds in a game that had suddenly at-

tered radically.

Statistically, journalists' chances of running into trouble are high. My own initial reaction was to avoid the townships and any other life-threatening situation.

Journalists tread a fine line in the townships and have to read situations carefully. Television crews have raised this ability to a fine art. But the variables have become numerous and complex.

Colleague Brian Sokutu summed up the changes while driving through Sebokeng the other day: "In the '80s, you knew where the trouble was coming from. Now it comes at you from all sides."

Despite the new (and constant) dangers, the townships have to be covered. Journalists have a duty to report the horror in the country's ghettos, to observe first-hand a climate where atrocities are commonplace and life is cheap.

The greatest danger probably comes from the dreaded, and growing, "criminal element". It is virtually impossible to distinguish criminals from demonstrators. And often there is no difference.

Journalists covering the funeral of Chris Hani were robbed, assaulted

and abused by "mourners" (One MK member resisted similar treatment from "mourners" but was told: "F--- off You're white.")

We have a high profile in the townships and appear to be easy pickings.

Another problem is the so-called "lost generation". With nothing to lose, it is seemingly bent on taking advantage of political gatherings to satisfy atavistic instincts.

And the PAC factor, as it affects working journalists, has become too disturbing to ignore. Journalists are regularly verbally and physically abused by young thugs marching under the PAC flag.

I seem to be singled out for a special rendition of "Settler settler, bullet bullet" every time I set foot in the townships. A black journalist with a white skin, I am an all-round target.

During a demonstration in town, one such miscreant not older than 13 told me I would definitely be singled out for special retribution by Apla.

I ignored him. In tense times, journalists generally refrain from being

provoked, though I sometimes marvel at what foreign correspondents get away with.

But the "settler, settler" rubbish is beginning to unnerve me.

And then, of course, there is an old favourite for journalists: getting caught in the crossfire. Everyone appears to be armed these days. When there are three sides to crossfire, the stakes are upped.

Thankfully, harassment and arrest by police appears to be a thing of the past. These days I say a little prayer every time I see a police vehicle, although township residents probably do not share this sentiment.

Many journalists are visitors to townships. When working there they experience only a fraction of the tensions residents experience daily.

Residents are prey to the same thugs and hoodlums journalists come face to face with from time to time. Residents who are journalists live a special kind of nightmare.

Condemnation of Thusago's killing by political organisations was swift, as was the ANC's response in apprehending the alleged killers. The organisation appears keen to send a distinctive message that it will not tolerate attacks on journalists.

The PAC has also offered protection to journalists.

There have been calls for the education of township residents on the need for journalists to move about freely, to perform their function, which is to tell South Africans and the world what is happening.

Yet calls for tolerance are falling on increasingly deaf ears. I fear that journalists — black and white — will remain in mortal danger every time they enter the townships.

Some colleagues have spoken of a news blackout as a response to attacks, but this is neither feasible nor constructive.

Journalists are still going into the townships, driven by the compulsion to be in the middle of a story when it happens and the belief that the truth must somehow emerge.

Last week journalists demonstrating in Sharpeville against the killing of Thusago heard the news that television cameraman Sam Msibi had been shot in Katlehong. The demonstration, for all its good intentions, lost its meaning.

I want to do my job. Yet the price may be too high. There are savages out there who will kill me for my watch.

Newsman's
death ^{ARG 7/5/73}

3 in court

The Argus ⁽²⁴³⁾
Correspondent ⁽²³⁸⁾

VEREENIGING.

Three men accused of murdering SABC journalist Calvin Thusago have appeared briefly in the Vereeniging Magistrate's Court.

The trio — James Thlobane, 25, Ezekiel Tyobeka, 22, and Laurence Hlatshwayo, 21 — all pleaded not guilty to a murder charge before magistrate Mr L Victor at another hearing last week.

Local ANC members performed a citizens' arrest last week and handed the suspects over to the police less than a day after two SABC journalists were attacked while investigating the desecration of graves at the Sharpeville Cemetery last Friday.

The three accused have been remanded until May 10.



Press commended for 'ensuring freedom'

Political Staff

THE National Party has commended the press for the role it has played "in ensuring freedom of expression and information in South Africa"

NP media director Mr Marthinus van Schalkwyk said in a statement it was appropriate to reflect on "these fundamental freedoms" in the light of yesterday's International Press Freedom Day.

"These freedoms form the cornerstone of the kind of democracy that we in the NP want to see realised in our country," he said.

CT 4/5/93
(243)
And from Johannesburg it is reported that the African National Congress said yesterday that freedom of the press should be an inalienable right in any democracy

A statement issued by the ANC to mark International Press Freedom Day said a press that had the courage to speak its mind was essential to ensure an informed, vigilant and vocal public, "alert to attempts by any government to abuse its powers".

"It is also our view that there should be no censorship of the media," the ANC said. — Sapa

The power is in your hands

Sowetan 4/15/93

(243)

IN 1988 *Sowetan* took what many thought was a calculated risk — at the instigation of the Editor's desk — to talk about development.

The country, particularly our readers who are black, were smarting and licking the wounds they received from various forms of violence. The violence seemed senseless and unending.

We identified the violence as arising directly from apartheid's ruthless destruction of all black societal structures.

■ Building the Nation and healing the wounds of apartheid — a calculated risk that paid off:

We said apartheid did not only attack the people's political structures but attacked the entire body politic of black life.

We suggested the best way out of the dilemma was for blacks to rebuild these structures. Treading very carefully, a rather tricky route, we finally decided that this should be called Nation Building.

That ideal is taking shape today. It is not only *Sowetan's* task to see that it succeeds.

One of our slogans says the power is in the hands of all South Africans to rebuild the nation.

We are helping to reshape our future by building this great nation.



Aggrey Klaaste

ment decision. When the matter was brought to my attention, it was felt that it certainly fell within the bounds of an ambassador's powers to take such a decision in respect of the embassy. Moreover, when I was consulted after Dr Treurnicht's death, it was also my standpoint that while the State would handle it in terms of the convention, there would certainly not be any objection if particular city councils were to feel that they wished to do so on account of their autonomy in respect of those particular premises.

Ministers

Press freedom

*1 Mr P G SOAL asked the Minister of Law and Order whether, with reference to the reply by the then Minister of Home Affairs to question No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal or partial repeal of certain Acts, particulars of which have been furnished to the South African Police for the purpose of the Minister's reply, if not, why not, if so, (a) (i) what steps and (ii) when and (b) what are the names of the Acts in question? B694E

THE MINISTER OF LAW AND ORDER.

No

Of the various Acts referred to by the hon member, the reference to the Police Act, 1958 (Act No 7 of 1958) is applicable to the South African Police. Section 27A of the Police Act is at issue here. The provisions of this section aim to protect the interests of the accused as well as the interests of the State. The unauthorized publication of any sketch or photograph of an accused before a trial has been commenced with may be prejudicial to the interests of an accused with respect to an identification parade. Furthermore, the unauthorized publication of any sketch or photograph of a State witness may cause intimidation of such person's family and eventually prejudice the State's case. Viewed against this background it is not this Department's intention to repeal section 27A at this stage.

(a) (i), (ii) and (b) Fall away

HOUSE OF ASSEMBLY

*2 Mr A GERBER — National Education [Question standing over]

*3. Mr A GERBER — National Education [Transferred to Own Affairs (for 12 May 1993)]

NEC: education forum

*4 Mr R M BURROWS asked the Minister of National Education

(1) Whether officials from his Department had any meetings with representatives of the National Education Conference to discuss an education forum; if so, (a) when did these meetings take place and (b) what was the outcome of the meetings.

(2) whether he will make a statement on the matter? B729E

THE MINISTER OF NATIONAL EDUCATION:

(1) Yes

(a) On 18 January 1993

(b) While there is consensus concerning the need for consultation and the participation in the process of education reform of a broad spectrum of stakeholders, no agreement was reached concerning the nature of and mechanism for this consultation and participation.

(2) No.

Mr R M BURROWS: Mr Chairman, arising from the hon the Minister's reply, is it not true that a meeting also took place on 1 April? Further to that, I wonder whether the hon the Minister would give an indication as to whether he would express a commitment to establishing an education forum on as inclusive a basis as possible.

THE MINISTER: Mr Chairman, the meeting that took place on 1 April was one between the NEC and me, not officials of the Department. It was a meeting in which I took part personally. With regard to the second part of the hon member's follow-up question, I want to reply that all I want him to do is to exercise a little more patience, perhaps only a few hours, and he will be able to read of my commitment in the newspapers.

Mr R M BURROWS Mr Chairman, further arising from the hon the Minister's reply, I would like to know, with regard to the date of 18 January which he indicated, whether it is not correct that there were other meetings of officials of his Department and members of the NEC before that date with regard to this particular matter of an education forum?

THE MINISTER: Mr Chairman, to the best of my knowledge that was the only meeting that took place between officials of my Department and the NEC. All the other meetings took place between me and the NEC.

Traditional healers

*5 Mr M J ELLIS asked the Minister for National Health and Welfare.

(1) Whether, with reference to the reply to Question No 1 on 27 May 1992, she has given further consideration to including traditional healers in the restructuring of the health-care system, if not, why not, if so, what are the relevant particulars.

(2) whether she will make a statement on the matter? B730E

THE MINISTER FOR NATIONAL HEALTH AND WELFARE:

(1) Yes, co-operation has taken place for some time at grassroots level with regard to primary health care. The Interim Committee as well as the Traditional Healers' Council, the latter being a body which continued the activities of the Interim Committee, is now in a position to negotiate with the Department of National Health and Population Development. The proposed agenda includes a discussion of an organisational structure for the control of traditional healers;

(2) no.

Aids unit restructured

*6 Mr M J ELLIS asked the Minister for National Health and Welfare.

(1) Whether the Aids unit run by her Department had to be restructured in 1992, if so, (a) why and (b) (i) how was this unit restructured and (ii) what was the total cost of this restructuring.

(2) whether the matter has been resolved; if not, why not, if so, to what extent,

(3) whether she will make a statement on the matter? B731E

THE MINISTER FOR NATIONAL HEALTH AND WELFARE:

(1) Yes,

(a) to bring it into line with the principles suggested by the World Health Organisation, namely that a network of organisations be established to function together as one comprehensive Aids prevention programme and

(b) (i) five functional sections have been implemented, namely

Aids support; marketing; training and education, research, and administrative services and

(ii) none,

(2) yes, it is indicative of a shift away from a specialist unit situated at Head Office to an expansion which includes the departmental regional offices, the Aids training and information centres, as well as other role-players;

(3) no

Press freedom

*7. Mr P G SOAL asked the Minister of Correctional Services

Whether, with reference to the reply by the then Minister of Home Affairs to Question No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal of section 44 (1) (e) and (g) of the Correctional Services Act, 1959 (Act No 8 of 1959), if not, who not; if so, (a) what steps and (b) when? B733E

THE MINISTER OF CORRECTIONAL SERVICES

Sections 44 (1) (e) and (g) of the Correctional Services Act, 1959 (Act 8 of 1959) are

HOUSE OF ASSEMBLY

ment decision. When the matter was brought to my attention, it was felt that it certainly fell within the bounds of an ambassador's powers to take such a decision in respect of the embassy. Moreover, when I was consulted after Dr Treumich's death, it was also my standpoint that while the State would handle it in terms of the convention, there would certainly not be any objection if particular city councils were to feel that they wished to do so on account of their autonomy in respect of those particular premises.

Ministers
Press freedom

*1. Mr P G SOAL asked the Minister of Law and Order ⁽²⁴³⁾ whether, with reference to the reply by the then Minister of Home Affairs to question No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal or partial repeal of certain Acts, particulars of which have been furnished to the South African Police for the purpose of the Minister's reply, if not, why not, if so, (a) what steps and (ii) when and (b) what are the names of the Acts in question? B694E

The MINISTER OF LAW AND ORDER.

No

Of the various Acts referred to by the hon member, the reference to the Police Act, 1958 (Act No 7 of 1958) is applicable to the South African Police Section 27A of the Police Act is at issue here. The provisions of this section aim to protect the interests of the accused as well as the interests of the State. The unauthorized publication of any sketch or photograph of an accused before a trial has been commenced with may be prejudicial to the interests of an accused with respect to an identification parade. Furthermore, the unauthorized publication of any sketch or photograph of a State witness may cause intentially prejudice the State's family and eventually against this background it is not this Department's intention to repeal section 27A at this stage.

(a) (i), (ii) and (b) Fall away

*2. Mr A GERBER — National Education [Question standing over]

*3. Mr A GERBER — National Education [Transferred to Own Affairs (for 12 May 1993)]

NEC: education forum

*4. Mr R M BURROWS asked the Minister of National Education.

(1) Whether officials from his Department had any meetings with representatives of the National Education Conference to discuss an education forum; if so, (a) when did these meetings take place and (b) what was the outcome of the meetings.

(2) whether he will make a statement on the matter? B729E

†The MINISTER OF NATIONAL EDUCATION.

(1) Yes

(a) On 18 January 1993.

(b) While there is consensus concerning the need for consultation and the participation in the process of education reform of a broad spectrum of stakeholders, no agreement was reached concerning the nature of and mechanism for this consultation and participation

(2) No

Mr R M BURROWS: Mr Chairman, arising from the hon the Minister's reply, is it not true that a meeting also took place on 1 April? Further to that, I wonder whether the hon the Minister would give an indication as to whether he would express a commitment to establishing an education forum on as inclusive a basis as possible.

The MINISTER Mr Chairman, the meeting that took place on 1 April was one between the NEC and me, not officials of the Department. It was a meeting in which I took part personally. With regard to the second part of the hon member's follow-up question, I want to reply that all I want him to do is to exercise a little more patience, perhaps only a few hours, and he will be able to read of my commitment in the newspapers

Mr R M BURROWS Mr Chairman, further arising from the hon the Minister's reply, I would like to know, with regard to the date of 18 January which he indicated, whether it is not correct that there were other meetings of officials of his Department and members of the NEC before that date with regard to this particular matter of an education forum?

(2) whether the matter has been resolved, if not, why not, if so, to what extent,
(3) whether she will make a statement on the matter? B731E

Traditional healers

*5. Mr M J ELLIS asked the Minister for National Health and Welfare

(1) Whether, with reference to the reply to Question No 1 on 27 May 1992, she has given further consideration to including traditional healers in the restructuring of the health-care system, if not, why not, if so, what are the relevant particulars,
(2) whether she will make a statement on the matter? B730E

†The MINISTER FOR NATIONAL HEALTH AND WELFARE

(1) Yes, co-operation has taken place for some time at grassroots level with regard to primary health care. The Interim Committee as well as the Traditional Healers' Council, the latter being a body which continued the activities of the Interim Committee, is now in a position to negotiate with the Department of National Health and Population Development. The proposed agenda includes a discussion of an organisational structure for the control of traditional healers,
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Aids unit restructured

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(1) Whether the Aids unit run by her Department had to be restructured in 1992, if so, (a) why and (b) (i) how was this unit restructured and (ii) what was the total cost of this restructuring.

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(b) (i) five functional sections have been implemented, namely
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marketing,
training and education,
research, and
administrative services and
(ii) none,
(2) yes, it is indicative of a shift away from a specialist unit situated at Head Office to an expansion which includes the departmental regional offices, the Aids training and information centres, as well as other role-players,
(3) no

Press freedom ⁽²⁴³⁾

*7. Mr P G SOAL asked the Minister of Correctional Services
Whether, with reference to the reply by the then Minister of Home Affairs to Question No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal of section 44 (1) (e) and (g) of the Correctional Services Act, 1959 (Act No 8 of 1959), if not, who not, if so, (a) what steps and (b) when? B733E

†The MINISTER OF CORRECTIONAL SERVICES

Sections 44 (1) (e) and (g) of the Correctional Services Act, 1959 (Act 8 of 1959) are

not aimed at generally limiting reporting in the media and are not unqualifyingly prohibitive Section 44 (1) (f) of the Correctional Services Act, 1959, which the media experienced as limiting, was already scrapped during 1992 I would like to state clearly that my Department follows an open policy and that the media is at liberty to report on any matters pertaining to Correctional Services

For the hon Member's convenience I would like to briefly elucidate the purposes of sections 44 (1) (e) and (g) respectively

Section 44 (1) (e), in the first place, is mainly aimed at the security of prisons The hon member will concede that the safe detention of prisoners is primarily in the interests of the community As sketches and photographs of prisons could be utilized to facilitate the freeing or escape of prisoners, it is therefore essential, in the interests of the community, to exercise a degree of control in this regard There is no objection to the publication of photographs for purposes of, *inter alia*, documenting the aesthetic or historical aspects of prisons and such approval is granted regularly

In the second place, section 44 (1) (e) is also, *inter alia*, aimed at protecting a prisoner and his family from adverse exposure In this regard it is important to note that the publication of photographs and sketches of prisoners is not limited within the first 30 days after conviction The same applies in respect of photographs and sketches of a prisoner or group of prisoners appearing as accused at a court building, or on premises adjacent to a court and used in relation thereto The purpose is that at this stage justice must be seen to be following its normal course

After a prisoner has been found guilty of a crime and justice is seen to have followed its normal course, the rehabilitation objective of imprisonment comes to the fore The continued publishing of photographs may be contrary to the objectives of rehabilitation and could eventually have an effect on the prisoner's reintegration when he returns to society It is also in the interests of the family of the prisoner to avoid unnecessary exposure to embarrassment which could result from the continued publication of such photographs or sketches

Under certain circumstances, requests for the publishing of photographs/sketches may be approved The following considerations will *inter alia* be applicable

— the particular prisoner must grant permission for the publishing of the photograph/sketch,

— it must have a possible crime-preventative effect, and

— it may not have the sensationalization of crime as an objective (in which case such a request will not be approved under any circumstances)

Section 44 (1) (g) is aimed at making a responsible contribution to the prevention and combating of crime by preventing the sensationalization of a prisoner's crime as well as crime in general At the same time the prisoner is prevented from gaining financially from his crime whilst he is still serving his sentence This is a responsible approach which recognizes and considers the interests of the community and its insistence that crime be combated

However, the Correctional Services Act, 1959 is being reviewed, in view of the proposed Bill of Fundamental Rights, in the spirit of changing times and in the light of international penological practices, with a view to amendments/adaptations At present certain elements of the Act are being subjected to thorough research but at this stage it is too early to indicate whether sections 44 (1) (e) and (g) of the Correctional Services Act, 1959 (Act 8 of 1959) will be amended

Murder of Dr Richard Turner

* 8 Mr A J LEON asked the Minister of Law and Order.

- (1) Whether, with reference to the recent murder of Mr Chris Ham, any information has emerged on whether any specific persons and/or groups were involved in the alleged assassination of Dr Richard Turner in Durban on or about 8 January 1978, if so what information has emerged in this regard;
- (2) whether any progress has been made in the investigation into the death of Dr Turner, if not, what stage has the investigation reached, if so, what progress,

(3) whether any arrests have been made in the Turner case, if not, why not, if so, what are the relevant details,

(4) whether any persons arrested or prosecuted in connection with the death of Dr Turner will be entitled to claim indemnity from prosecution in terms of the Indemnity Act, 1990 (Act No 35 of 1990), or the Further Indemnity Act, 1992 (Act No 151 of 1992); if not, why not; if so, on what grounds? B728E

THE MINISTER OF LAW AND ORDER

(1) No

(2) No, but every clue which has been received in connection with the murder is being followed up

(3) No, owing to a lack of sufficient information

(4) Section 2 of the Indemnity Act, 1990 provides that the State President may grant indemnity to any person, either unconditionally or on the conditions he deems fit, in respect of any event or category of events The provisions of this section are stated in very wide terms and it would be possible for the State President to consider any application for indemnity by any person involved in the death of Dr Turner

The Further Indemnity Act, 1992 applies to any act with a political object advised, directed, commanded, ordered or performed by such person before 12 00 on 8 October 1990 The definition of "act with a political object" includes any act or omission advised, directed, commanded, ordered or performed—

- with a view to the achievement of a political object, or
- for the promotion or combating of an object or interest of any organization institution or body of a political nature, of
- with the *bona fide* belief that such object or interest will be served, or
- with the approval or on instruction or in accordance with the policy of such organization, institution or body

The State President may thus also in terms of this Act consider any application for indemnity by any person who caused the death of Dr Turner, if his conduct falls within the ambit of an act with a political object

Mr A J LEON Mr Chairman, arising out of the hon the Minister's reply that no progress has been made in the investigation of this murder and that no arrest or prosecution has taken place, and given the fact that Dr Turner, who was a very high-profile political activist in Durban, was assassinated 14 years ago, is it not a matter of concern and disappointment to him that such a lack of progress has been experienced in this particular investigation, and are there any steps envisaged to try to bring this matter to justice once and for all?

The MINISTER. Mr Chairman, I immediately want to say this to the hon member It is not pleasant for me to know that a murder has not been solved, irrespective of whether it is a high profile person or a beggar I want to state categorically that for the SA Police the important thing is to track down the murderers of people Yes, of course 14 years have passed, but the hon member has been in the legal profession long enough to know that one does not always get hold of the guilty person This seems to be the case here

I want to assure the hon member further that intensive detective work has been done in the last while—and was done in the beginning especially, when the clues were fresh—in order to determine who the murderers of Dr Turner are, and it is with regret that I have to say that we have not yet been able to succeed in tracking down the murderers

Mr A J LEON Mr Chairman, further arising out of the hon the Minister's reply, is he aware of the fact that Dr Turner's daughter has recently been in South Africa attempting to follow up this matter and that, despite attempts to contact senior officials in the Government, including the hon the Minister's Department and that of the hon Minister of Justice, she received no co-operation whatsoever in her quest for further information on this matter?

The MINISTER Mr Chairman, I am not aware of our receiving such a request I am not aware of a request being made in that regard to my office at all It may have been, but unfortunately

Sowetan 6/5/93

Strike action threat

By Mathatha Tsedu

■ NO RESULTS Unions demand end

FIVE PUBLIC sector unions yesterday called on the Government to stop its five percent retrenchment of staff and to reopen negotiations with teachers on salaries — or face all-out mass action.

Addressing a Press conference in Johannesburg, Post and Telecommunications Workers Association president Mr Khabisi Masonkutu said the campaign would be launched on Saturday with a march in Pretoria.

Speaking on behalf of the five unions — Nehawu, Samwu, Popcru, Udusa, Potwa and Sadtu — Masonkutu said a general strike by all affiliates of the Congress of South African Trade Unions was on the cards if the Government refused to meet the "legitimate demands of workers and students"

to staff cuts and higher salaries:

The unions are demanding:

- An end to staff cuts in the public service;
- An immediate stop to unilateral restructuring and retrenchments;
- Negotiations with unions and the public on expenditure cuts;
- A living wage;
- The extension of the Labour Relations Act to teachers, hospital workers, university lecturers and civil servants; and
- An end to union-bashing tactics in Bophuthatswana, Kwazulu and Ciskei.

Masonkutu said the unions had been engaged with the government in negotiations but this had so far pro-

duced no results. "We are left with no option but to unite and fight against these staff cuts, the unilateral restructuring and the low wage increases," they said. Questioned by reporters, Masonkutu said a national campaign, involving all Cosatu affiliates and possibly unions in Nactu, was possible if the "intransigence" of the Government continued.

He cited the education crisis and said the blame rested squarely with the Government for closing the doors on negotiations over its five percent wage increase decision. The march on Saturday will end at the Union Buildings and will mark the beginning of the programme.

Lensman escapes death

Sowetan 6/5/93

SENIOR *Daily News* photographer John Woodruff escaped almost certain death yesterday when he was kicked, punched and held hostage for over an hour as angry mourners attending the funeral of former KwaZulu "killer cop" Siphwe Mvuyane tried to force their way into an office building in Umbilo Road in pursuit of him.

The mourners, who were unable to gain access, blocked off Umbilo Road with their vehicles, directing traffic away from the area

As the mob shouted for his blood, panic-stricken office employees contacted the police and a reaction unit rushed to the scene of the drama.

After heated exchanges police managed to disperse the mob and escorted Mr Woodruff from the building

The photographer had earlier been stationed at the Avbob Funeral Parlour on the corner of Umbilo and McDonald

■ Photographer flees as angry mourners bay for his blood:

roads where he was covering the funeral service of Constable Mvuyane, gunned down at the University of Durban Westville after a pop concert on Saturday.

Said a still-shaken Mr Woodruff: "I was standing on the island in the middle of the road when I was approached by about half a dozen mourners. At that stage I was observing the proceedings."

"They asked me who I represented and what my interest in the funeral service was. I told them. Whereupon they started threatening me, saying that if I took any pictures they would be the last pictures I would ever take" —

Sowetan Correspondent

C

Star 6/5/93

'Suggest ways to protect media'

Political Staff

243

CAPE TOWN — Home Affairs Minister Danie Schutte yesterday invited the press to give the Government suggestions on how journalists could be protected, following yesterday's 66th attack on journalists this year.

Daily News photographer John Woodroof was attacked while taking photographs at the funeral of former KwaZulu policemen, Sergeant Sphiwe Mvuyane, in Durban.

Schutte earlier this week identified with concern expressed by MPs in Parliament about assaults on journalists

Schutte said then that, already this year, 65 journalists had been attacked, and 45 of the attacks had taken place since the murder of Chris Hanu. No civilised society could allow this.

If the press could not move about freely because of attacks on journalists, this affected the very fibre of a civilised society. Schutte suggested that the media make representations to the Government on ways that journalists could be protected.

Meanwhile, Constitutional Development Minister Roelf Meyer said in his budget vote yesterday that the people and institutions in communications

and the media who kept the public informed were a cornerstone of the "South Africa of tomorrow".

"Our communications industry has a long and proud history and tradition which should not be denigrated, but which rather ought to be developed further

"The level of press freedom, the quality of journalism and the responsibility of its journalists are a fair indication of the level of civilisation of a country. Objective, comprehensive and responsible communication goes hand in hand with freedom," Meyer said



AWARD ... Archbishop Desmond Tutu accepts the International Public Relations Association's President's Award from a past president, Mr Jim Pritchitt.

Picture. ALAN TAYLOR

Tutu slams newspaper 'racism'

CT 6/5/93
Staff Reporter

ARCHBISHOP Desmond Tutu has claimed that sections of the media often give more prominence to the murder of whites than of blacks.

The archbishop was speaking at a function at the Cape Sun where he was presented with the President's Award of the International Public Relations Association for his contribution to improving world understanding and peace.

"I am deeply saddened at the difference in the coverage of massacres," he said last night.

He said the killing of five white people in East London had been given "saturation coverage" whereas the recent Sebokeng massacre of 21 people had not had the same treatment.

He expressed concern that a report about the murder of seven in Sebokeng had been used only on page two of the Cape Times yesterday.

Sowetan 6/5/93

Magazine aims to change path

By Mzimkulu Malunga

EVERY TIME people talk of black business, the focus is on the informal sector and very little is said about serious, successful black entrepreneurs. The new-look *Enterprise* magazine wants to reverse this trend.

"Young whites are told of Anton Rupert or Tony Factor but how many black youths have heard of Herman Mashaba, Don Ncube or Khehla Mthembu?" argues editor Thami Mazwai.

"I see *Enterprise* as a publication through which blacks can get a positive image of themselves. Throughout the world we are associated with things like violence and failure. I strongly disagree with this misconception."

Mashaba is among the market leaders in the hair care products manufacturing industry.

His company, Black Like Me, is competing with the elite and it is making serious inroads into the export market.

Don Ncube is among top executives of South Africa's biggest company, Anglo American Corporation, while Khehla Mthembu leads a fast growing

■ Focus should be on successful businessmen rather than the informal sector:

black insurance company, Algen

In addition to the three, there are hundreds of dynamic and enterprising black business people out there who never feature at all in the media.

Research

Mazwai says research shows there are about two million black entrepreneurs in the country. Six percent of black businesses have a monthly income of about R6 000 and above.

"It is this six percent that *Enterprise* is targeting. We want to use them as role models, then the rest will follow. These people are decision-makers in their own right," Mazwai says.

Black professionals and business people have their own style of doing things, different from their white counterparts, but some people have the perception that these people are imitating white managers — and it is not true, argues Mazwai.

Enterprise seeks to put black economists, accountants, lawyers, medical specialists, senior nursing sisters, engineers and other technocrats

in their rightful place in the community. In the past, successful black people were painted as "sell-outs" and relegated to the background. Some people even refrained from extending their houses to avoid being dubbed "capitalists".

Throughout the history of African liberation struggles, from Cape to Cairo, the emphasis was put on political emancipation with few voices speaking about economic freedom associated with the "exploitative, capitalist and imperialistic expansionism".

Mazwai says his magazine also targets top executives in the white community with the aim of educating them about the black business community.

Young whites can also learn something from *Enterprise*. The more they are exposed to black business, the better they will be informed.

As black business grows, *Enterprise* hopes to become a leader in reflecting the changing culture in South Africa's business community.

Malawi censors Weekly Mail

WIMBON, '75 - 1315193
Weekly Mail Reporter (243)

THE Malawi government censored last week's edition of *The Weekly Mail and Guardian Weekly*, excising an article about Malawi from each and every copy of the *Guardian Weekly* before allowing the paper to go on sale.

The article, by *Guardian* regional correspondent Chris McGreal, focused on new laws giving the ruling Malawi Congress Party what amounts to immunity from prosecution for acts of intimidation and violence in the run-up to a referendum in June on the future of one-party rule.

Distribution of *The Weekly Mail* in Malawi was delayed by a day while the offending article was removed leaving a hole on the bottom of page 7, although a front page reference to the story, headed "Banda makes violence legal", was left untouched.

The censoring of foreign coverage of events in Malawi continues, despite considerable liberalisation of the press inside the country in the run-up to the referendum. At least eight opposition weeklies and monthlies — most hard-hitting in their criticism — have been set up since President-for-life Hastings Banda agreed to the plebiscite in October.

Youth League warns media

LINDA ENSOR
CAPE TOWN — The Western Cape branch of the ANC Youth League warned the Press and the SABC yesterday to "lay off the youth"

The media was threatened with protest action if reporting continued to portray the youth in a way which made them "vulnerable to right-wing attacks"

Secretary Neville Naidoo said at a news conference that while the league supported the freedom of the Press, the organisation could not allow the media to create conditions for threats and assassinations of youth leaders

Examples of the attacks on youth were that statements and songs of league president Peter Mokaba were blown out of proportion and the youth described as marginalised, militant, radical, violent and ill-disciplined

Naidoo announced the launch of a programme of action including the targeting of institutions of power such as police stations and administration buildings

This would begin after May 15 if government failed to commit itself to holding elections and satisfying other demands

Chairman Mcebisi Skwatsha said if the youth league felt the ANC was not acting in a way it accepted, it would take its own line and adopt its own tactics.

Violence claims 12 lives in two days

810 AM 7/5/93

AT LEAST 12 people were killed in violent incidents across the country yesterday and on Wednesday.

Gunmen killed five people, including a one-year-old child, in an attack on the house of a KwaZulu policeman in Umgababa on the Natal south coast on Wednesday night, police said yesterday

Durban police spokesman Capt Bala Naidoo said four gunmen wearing balaclavas and armed with AK-47 rifles shot dead Const Alson Mkhize, 51, and one-year-old Sithebile, and injured Mkhize's wife Gladys at their home

Naidoo said the attackers stole a 7,65mm pistol and ammunition before fleeing and shooting at the house, killing three more people

Police were offering a "substantial reward" for information leading to the arrest of the killers, said Naidoo

The ANC and Inkatha said yesterday they were investigating the incident

Yesterday two people were shot dead near the Natal Midlands town of Wartburg. Police said five men opened fire on a kraal with shotguns, killing a man and a woman who had not yet been identified.

Meanwhile, youths in Dundee's Sibongile township in northern Natal stoned police vehicles in retaliation to alleged teargassing, said the ANC

Maritzburg police spokesman Capt Henry Budhram confirmed there had been confrontation in the township but could not immediately give details.

Dundee ANC secretary Desmond Budhram said Inkatha supporters had held a meeting in Sibongile township on Wednesday night. He said the meeting ended peacefully. However, ANC-supporting youths continued to "keep watch" in the area and police arrived at midnight and allegedly began teargassing them.

He said youths began stoning police vehicles when police again fired teargas at them yesterday

Budhram said police would respond to the ANC claims later

In Cape Town yesterday, three men were shot and killed and a woman was seriously wounded when violence flared again in Boystown, Crossroads.

Residents of the settlement near Cape Town claimed they were shot at by attackers when they tried to run to the local police station for help.

Two badly charred bodies, one with shotgun wounds, were found in the same area on Wednesday, bringing the death toll to five. A number of shacks were torched

Lt John Sterrenberg said police were still trying to establish the motive for the attacks and killings

In other incidents of violence two bread delivery vehicles were attacked and burnt in Umfeleni, Kuisriver. The attackers made off with bread worth about R10 000 and caused damage estimated at about R170 000 to the vehicles

The Human Rights Commission reported yesterday that violence had claimed 46 lives in the past week

Sebokeng in the Vaal Triangle emerged as a focal point of violence, accounting for 13 of the deaths

At Tigane township in the western Transvaal, violence centred on the funeral of an Inkatha member and six people died.

Attacks on whites in the PWV and Border regions claimed five lives. There were 16 attacks against security forces, resulting in two deaths

Natal's toll of 10 (in the week) showed a decrease from the 30 recorded the previous week and from this year's weekly average for Natal of 23 — Sapa

810 AM 7/5/93

TRANSNET LIMITED

TENDER NO. PPN 1/12/3/4024/1
SALE OF LAND:
EAST LONDON
ON THE BANK OF THE NAHOON
RIVER

Propnet, a Business Unit of Transnet Limited no 90/00900/06, invites tenders for the purchase of certain land in East London, in extent approximately 13,1225 hectares being portion of Erf 10337 East London, situated on the bank of the Nahoon River, also known as Lot Silverstrand.

Tender documents, containing full particulars of this proposed sale are available at

Mandela visits slain boy's parents

CHRIS BATEMAN
LONDON — ANC president Nelson Mandela saw the ugly face of racial violence in Britain yesterday when he met the London parents of a black matric pupil stabbed to death by a gang of white teenagers

He emerged from the encounter to express "great concern" at the resurgence of racism worldwide.

"This is a very disturbing development .. especially in a place like Britain, the home of parliamentary democracy. We are used to this kind of thing in SA, but I have a sense of deep concern that it should happen here."

He spent 20 minutes talking to Neville and Doreen Lawrence, whose son Stephen, 18, was stabbed twice by a group of four to six white teenagers while waiting for a bus in southeast London two weeks ago. Police, who have yet to make an arrest, said the attack was unprovoked

Doreen Lawrence said they had received no messages of condolence from the British government, "yet a leader of a country from abroad can be interested"

The couple say they passed on the names of their son's killers to the Metropolitan police, whom they accused of being "cavalier and patronising"

Scotland Yard said a "dedicated" team of officers was investigating the Lawrence murder "diligently and with total professionalism"

Argus debates de-linking of group's shares

ARC 8/5/93
243

JEAN LE MAY, Weekend Argus Reporter

DISCUSSIONS are taking place at top level in the Argus Group on the desirability of de-linking the group's 37 percent shareholding in Times Media Ltd, chief executive Douglas Band has confirmed.

It was also thinking about increasing the spread of shareholders, offering shares to staff members at all levels and inviting "other-than-white" representatives to become board members.

"We have nothing to hide in our board deliberations and, in fact, welcome the prospect of more diverse input," Mr Band said.

He was reacting to the ANC's expressed intention of introducing anti-trust, anti-monopoly laws in the new South Africa.

Mr Band said earlier that the group did not intend selling any of its publications to political parties or parties with political agendas.

However, there were areas in which movement was possible.

Some were already being implemented and there were others "which we would hope to implement at the appropriate time".

Among the other options being considered were the need to achieve black ownership and participation in the equity of Argus companies, and the urgency of hastening skills-training for all staff.

There was a particular need to equip under-privileged personnel so that they could look forward to promotion through the editorial and administrative ranks.

Commenting on fears for Press freedom in the new South Africa, Mr Band said the group was committed to playing a role in ensuring that appropriate freedom of information legislation be brought on to the statute books.

This would ensure that South Africa would "never again be subjected to the attacks on the free flow of information which we endured for so long".

Mutu says local Press is white-orientated

APC 8/5/93

(243)

■ Delegates attending an international convention for public relations workers debate whether the Press has been doing its job properly in the "new South Africa".

Argus 8/5/93 (243)

DALE KNEEN
Weekend Argus Reporter

THE Press has come under attack for its coverage of the unfolding political drama in South Africa, but journalists say they are doing their job objectively, sometimes while risking their lives.

The issue was highlighted this week at the International Public Relations Association Convention when Archbishop Desmond Tutu accused the Press of biased coverage of recent political events.

Archbishop Tutu told public relations representatives from around the world that the Press in the past had tended to "pander to the prejudices of the side with money power" while ignoring the views of the disenfranchised.

"I thought we had moved from that two-world stance. Since Mr (F W) De Klerk's bold initiatives I was becoming embarrassingly respectable and people were changing their views about me and my erstwhile apparently reprehensible conduct."

However, Archbishop Tutu said the Press coverage of Mr Chris Hani's assassination and other issues had left him "disillusioned".

He accused the Press of concentrating on the violence and mayhem of a "small section" of the "vast crowd" which was "remarkably well behaved" at Mr Hani's funeral marches.

"And then we've had a return to the pre-February 1990 days in the reaction of some whites to what they call my undignified display at the Chris Hani funeral."

"We live in two worlds — almost all the blacks have been thrilled with my performance which was no more than I said at the Boipatong funeral, at Bisho and the other many mass funerals I have had to conduct in the wake of apartheid's viciousness."

Archbishop Tutu said he had thought whites and blacks had "moved closer to one another" but he was surprised to see "how much venom is released against me and a Mr Eugene Terre'blanche is treated with kid gloves".

"I am deeply saddened at the difference in the coverage of massacres when they affect blacks and whites. I deplore all these murders and condemn their perpetrators soundly.

"But only a fool would not see that we have had saturation coverage with banner headlines on front pages, in all the papers of the killing of five whites in East London. That story pushed the accounts of Oliver Tambo's funeral to a subsidiary status.

"I am sure that massacres must be extensively covered and yet 21 people were killed in Sebokeng at the time of Chris Hani's assassination and that horrendous massacre did not get a fraction of the treatment given to the East London murders. What are we being told?"

Earlier, *Newsweek's* South African correspondent Mr Joseph Contreras said that in the mid-1980s there was a "moral quality" to news emanating from South Africa as it was basically a story about racism

Foreign reporters were then criticised by the rightwing and the leftwing saw the Press as an effective method of highlighting their cause and generating support for it around the world

Mr Contreras said reporters were increasingly being criticised by the leftwing as the news media — both local and foreign — found themselves on the "cutting edge" of change

He said the stories of violence at Mr Hani's funeral marches were newsworthy and that they had to be written. Good and bad news had to be written, despite the wishes of politicians.

Mr Contreras said he had worked in many Third World countries and, in comparison, the "standard of information in South Africa is very good".

Mr Joe Latakoma, of the Argus Africa News Service, said the media was often accused of distortion — sometimes rightly

But he said newspapers were not accountable to politicians, advertisers or governments — only to their readers

Rip and read from Sapa

SAPA, the country's largest independent national news agency, is expanding, with its sights set on supplying news to new radio stations that could come about following broadcasting deregulation.

Sapa's editor Mark van der Velden says plans are well advanced to set up a separate unit which will provide affordable two- and three-minute news packages to small broadcasters.

This "rip and read" formula could prove very successful, Van der Velden says.

Presently, Sapa's output of some 150 000 words a day would be too costly and unmanageable for a small broadcaster. "We will send out news packages hourly during the day," he says.

News is a proven generator of income, with advertising easier to sell around news bulletins as listenership figures always peak at that time.

The news packages will be fed directly into the station's computers.

And with the advent of modern digital technology, it would also be possible for SAPA to supply "sound bites" to client stations at a fraction of the cost of analogue equipment, he says.

"So stations which install the right equipment from the start will be able to receive ready-to-read news bulletins, complete with sound-bites on their system,"

The retiring squires poisoning the wells

ARG 8/5/93

243

IT is in the nature of the beast that newspapers incessantly criticise others. Because of this, when the spotlight is flashed back at them, press people should not flinch and flail in a bout of defensiveness and special pleading.

Newspapers are put together under unremitting pressure by imperfect people we often make mistakes, and it often takes someone else to point them out.

Having said that, there is a distinction between journalist-on-journalist verbal violence (which is indulgent and of little interest to the only real arbiters of the Press's performance, the readers), and more general criticism of the role this important, unloved institution is playing.

A critique of the latter sort was published in Business Day last week, and it is worth bringing to the attention of as many readers as possible.

Political consultant Anna Starcke argued that South Africa's "English-language print media" has been guilty of omission, parochialism, stupidity and hypocrisy in its treatment of the Hani assassination and Peter Mokaba's agricultural ditty.

The theme was then expanded upon by the fluid pen of Sunday Times editor Ken Owen, who concluded that, as with just about everything else in this poor old country of ours, the Press is hopeless — when democracy comes, the Press will probably cause it to fail, if all the other entries in his dictionary of doom do not do the job first.

It was not clear whether he attributed any of these failings to his own newspaper.

Then Citizen editor Johnny Johnson, whose pen I would not describe as fluid, gleefully entered the fray, developing the theory of general damnation, except in so far as the Citizen was concerned.

I'm sorry to have to rehash all of this domestic squabbling, but it underpins the debate



SHAUN JOHNSON replies to arguments that South Africa's "English-language print media" has been guilty of omission, parochialism, stupidity and hypocrisy in its treatment of the Hani assassination and Peter Mokaba's agricultural ditty.

The English-language Press's coverage of Chris Hani and Peter Mokaba could be vastly improved if we were able to do it all over again.

No doubt The Argus Group stable would correct omissions, change emphases, kick itself around a bit for bad decisions.

But it is nonsense, and shoddily-thought-out self-serving nonsense, to suggest that the "English-language Press" is a monolith — as if The Argus performed exactly like the Citizen, or the Sunday Times for that matter. There were big differences, as there should have been.

Anna Starcke makes some important observations. In particular, I am struck by her point that the "kill the boer" chant has been around for a long time — except it was not spoken in English.

Why did we all miss it? Did some reporters not understand, or decide not to report it? We must avoid a repeat.

But Starcke also diminishes her overall argument by doing herself what she accuses the newspapers of doing.

Take the Hani killing. She asks "Where was the English Press during the past two years in telling readers about Hani the negotiator, the man concerned about peaceful solutions, or, the private man?"

A cursory look back at The Star's files answers her. Some examples. A major article in April 1991 — two years ago — was headlined "Hani — Militant or Moderate?"

We wrote "In stark contrast to Mr Hani's public image, there is a commitment to the

peace process, pragmatism and democratic accountability ... Mr Hani is clearly on board the negotiations bus being driven by Mr Mandela."

The danger of his public image was spelt out "Mr Hani might become so demonised that when the time comes to convince whites he is 'okay' after all, their fears might be too deeply etched." That is "where The Star was".

In December 1991 The Star ran an interview with Hani, trying to reveal the man behind the persona.

Later in the same month, one-and-a-half thousand words were offered in pursuit of the information-imparting function Anna Starcke now says no one bothered with.

She simply didn't do her research.

I wish Anna Starcke well in her efforts to monitor our performance — we will benefit from her criticism — but I also ask that she read the papers in their complex entirety.

I feel a sense of betrayal more than anger at the fact that colleagues within the English-language press, who profess to share a commitment to the importance of a free-as-possible press in a democracy, should rubbish the entire institution so monochromatically.

It is as if some squires of the industry, reaching the ends of their distinguished careers, see no one worthy of assuming their mantles, and so they poison the wells and hobble the livestock before withdrawing, preparing to observe with satisfaction as history fulfills their bleak prophecies.

By FRED KHUMALO

"YOU'RE lucky to have escaped alive. The policemen were so upset they wanted to tear you to pieces."

These were the chilling words said to me this week by a senior police officer at the Umlazi police station I was visiting

the station to collect my notebook which had been confiscated the previous day by friends of slain KwaZulu Police Sgt Sipiwe Mvuyane

Mvuyane was murdered on Saturday morning at the University of Durban-Westville.

Why had they confiscated my notebook in the first place, I asked the officer. Why had they threatened me with violence?

"You're from the press that's why. Pressmen across the spectrum have written lies about Mvuyane, that's why his family, friends and colleagues are angry and upset. The press was biased against Mvuyane while he was still alive, what more do they want to write about him?" said the officer.

I tried to argue that the allegations reported in the press were well known to the public as they had already been heard by some courts and that some were due to be heard in June.

The officer would hear none of this. He was livid. I left his office without the notebook I had come to collect.

The notebook saga started on Tuesday when two *Weekly Mail* reporters and I went to Mvuyane's memorial service with the aim of talking to members of the family and colleagues about the deceased.

In the name of balanced reporting we felt we had to get the other side of the story.

Some people knew him as a polite, well-dressed gentleman with a flashy bright smile. (243)

That's the side of the story we tried in vain to get.

From the outset we were made to feel unwelcome, and in the end decided to leave.

As we filed out of the hall, six or seven young men in plain clothes accosted us.

Press reports on Mvuyane anger KwaZulu cops

First they hurled their verbal venom on *Weekly Mail* colleague Enoch "Spider" Mthembu, while one of them tried to lay a hand on him. Mthembu retreated to the charge office seeking protection.

However, policemen in full uniform just looked on without intervening.

As the other *Weekly Mail* reporter and myself hastened our way towards our car, we were intercepted by one of the young men who let out unprintable vitriol upon members of the journalistic fraternity.

He grabbed our bags, rummaged through them and confiscated our notebooks. By now many policemen had left the hall to watch the spectacle of three poor reporters scuttling to their car with their tormentors in their wake, still hurling abuse and threats.

We escaped - luckily, as the officer said - alive and uninjured.

Daily News chief photographer John Woodroof was not so lucky. Covering the Mvuyane funeral service on Wednesday, Woodroof was heavily beaten by mourners.

They punched and kicked him to the ground.

"I knew at that stage I would be lucky to get away without serious injury. They meant to kill me. They were no longer interested in just getting my camera and film, they wanted me."

At least one of Woodroof's tormentors was armed with a gun.

Woodroof managed to get up and run. He sought refuge at an office building in Umbilo Road.

His pursuers were not dissuaded. They tried to force their way into the building, banging the door.

They later blocked off Umbilo Road with their vehicles, shouting for his blood.

I won't be going back there for my notebook.

Reporters Terrorised
C/Press 915193
p

Act not aimed at limiting media = Vlok

CAPE TOWN — The media were free to report on any Correctional Services matters, Correctional Services Minister Adriaan Vlok said yesterday.

Replying to a question from Peter Soal in the House of Assembly, the Minister said sections 44(1)(e) and (g) of the Correctional Services Act were not aimed at generally limiting reporting in the media and were not "unqualifyingly prohibi-

tive".

"I would like to state clearly that my department follows an open policy and that the media are at liberty to report on any matters pertaining to Correctional Services"

Law and Order Minister Her-nus Kriel said in reply to another question that his department had no intention of repealing section 27A of the Police Act, which Soal said "de-

tracted from the free flow of information".

Kriel said the provisions of section 27A aimed to protect the interests of the accused as well as those of the State.

"The unauthorised publication of any sketch or photograph of an accused before a trial has commenced may be prejudicial to the interests of an accused with respect to an identification parade." — Sapa

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Star 015193

Workshop to look at press

The Media Workers' Association of South Africa is to host a media workshop in Johannesburg today in the wake of violent attacks on journalists. — Own Correspondent.

(243)

Attacks on media slammed

Sweeten

11/5/93



THE ANC and the PAC yesterday condemned attacks on journalists, saying this was not consistent with democratic practice.

The organisations said a campaign to educate their followers was necessary if youths were to understand the role the media.

Representatives of the organisations were speaking at a media workshop organised by the Media Workers Association of South Africa

held at a Johannesburg hotel. ANC spokesman Mr Ronnie Mamoepa for the PWV region said the media had a vital role to play in the democratisation of society.

"As such I do not think political organisations should seek to silence the media."

PAC official Mr Basner Ngceba decried "inflammatory utterances by all political organisations"



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Protection Star 11/5/93 for newsmen

By Montshiwa Moroke
(242)

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The ANC and PAC yesterday offered at a Media Workers' Association of SA (Mwasa) workshop on safety, direct protection to journalists in townships, following the killing of SABC newsman Calvin Thusago last month.

PAC labour director Basner Ngceba suggested that journalists obtain addresses of officials in areas, who would accompany them.

Spokesman Ronnie Mamoepa said the ANC has 10 iron rules and one states "that under no circumstances must we attack the media"

been retired on accelerated pension has at no stage changed. These teachers have themselves always been responsible for their medical cover after termination of service. These arrangements appear to be in line with general practice in the private sector. In the light of the sensitivity which has developed concerning this matter, and also because I am very sensitive about it myself, I decided to submit the matter to Cabinet for its consideration. I further decided that all educators who had accepted early retirement since 1 August 1992, owing to rationalization, should receive an amount not exceeding the State's contribution to the medical scheme to which they belonged on the last day of service for a period not exceeding 6 months after retirement.

- (2) No, because according to my information no change in respect of the payment of membership fees to Medihelp had taken place in the case of people who were retired on accelerated pension.
- (3) No. Educators who have accepted early retirement are already receiving the assistance referred to in paragraph (1).
- (4) No.

Mr R M BURROWS. Mr Chairman, arising from the reply of the hon the Minister, could he inform us whether teachers, particularly those falling under the Administration House of Representatives who are being offered early retirement at this stage, are being informed about the financial position in regard to their medical scheme?

The MINISTER. Mr Chairman, I am not responsible for the management of the education department of the House of Representatives, so unfortunately I am not in a position to answer the hon member's question.

New questions.

Press freedom

*1. Mr P G SOAL asked the Minister of Mineral and Energy Affairs: **243**

Whether, with reference to the reply by the then Minister of Home Affairs to Question

HOUSE OF ASSEMBLY

No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal of the Petroleum Products Act, 1977 (Act No 120 of 1977), if not, why not, if so, (a) what steps and (b) when? **243** B734E

The MINISTER OF MINERAL AND ENERGY AFFAIRS:

A comprehensive investigation into Government's involvement in the petroleum fuel industry is in the process of being finalised at present. One of the aspects which is being addressed in the investigation, is to what extent the need for secrecy regarding specific petroleum matters has reduced under the present circumstances. The repeal of the Petroleum Products Act, 1977 (Act No 120 of 1977) is, however, not envisaged, but only certain regulations promulgated in terms of the Act. It is the intention to consider the amendment of those Regulations which prohibit the publication of information in respect of petroleum products as soon as possible.

Mr R R HULLEY. Mr Chairman, arising from the reply of the hon the Minister, could he tell us whether the question of the deregulation of the petrol price is part of the inquiry he has just referred to?

The MINISTER. Mr Chairman, the reply to that question is "yes". The whole matter of the regulation of the petroleum industry has been looked into and the report will cover that as well.

Capital punishment

*2. Mr J H MOMBBERG asked the Minister of Justice:

- (1) Whether he will consider recommending that all persons sentenced to death be reviewed before Parliament takes a decision on the question of capital punishment; if not, why not; if so, what are the relevant details;

(2) whether he will make a statement on the matter? B737E

†The MINISTER OF JUSTICE

- (1) and (2) All persons sentenced to death are from time to time considered for reprieve.

On 29 January 1993 during his Opening Address the State President indicated that the Government was reconsidering its position on the carrying out of the death penalty and that Parliament would be consulted in the process of reconsideration.

On 24 March 1993 the State President therefore indicated further that the Government has decided to approach Parliament on an appropriate occasion, on the basis of a motion, to give all hon members the opportunity to indicate their viewpoints regarding the carrying out of the death penalty in a vote at the end of the debate.

The State President will proceed with the consideration of possible reprieves.

†Mr J H MOMBBERG. Mr Chairman, arising out of the hon the Minister's reply, the question was specifically aimed at the situation of persons who have been condemned to death. In the light of the almost inhuman situation existing at present, namely that some persons have been in death row for almost seven years, does the hon the Minister not feel that these persons can be reprieved before the debate on the death penalty begins?

†The MINISTER. Mr Chairman, I have already indicated that at a certain stage the State President considers the granting of a reprieve in the case of all persons who have been condemned to death. We must remember that this institution of the death penalty was amended hardly two years ago to make an appeal to the Appeal Court possible in all cases. It is therefore an automatic appeal. When cases are turned down by the Appeal Court, the question of reprieve remains. In this context we are therefore referring to those cases already considered by the State President, but in which a reprieve was not granted. As far as those persons are concerned, the carrying out of the death sentence has therefore been suspended temporarily. It is the intention, in the light of the hon the State President's motion on these two occasions to which I have referred, to ask Parliament for its view on the continuation of the carrying out of the death sentence.

†Mr J H MOMBBERG. Mr Chairman, further arising out of the hon the Minister's reply, does he not feel that he himself, purely on humanitarian grounds, can make such a recommendation?

†The MINISTER. In the normal course of events a reprieve is granted by the hon the State President on the recommendation of the Minister of Justice. Those cases have already been disposed of. We are talking here about a limited number of cases in which a reprieve was not granted. If I understand him correctly, the hon member is now asking whether we shall again look at that category of persons. I do not want to be cynical now, but there is a very strong feeling outside that these people did not ask twice whether their victims should get another chance or not. That is the attitude outside. We must look at this matter in a very objective and clinical way, and that has already been done. We shall not carry out the sentence before we have asked Parliament to state its attitude. I intend putting this question to Parliament within a few weeks.

Mr P G SOAL. Mr Chairman, further arising out of the hon the Minister's answer, does that mean that the hon the Minister did not tell us of the limited number of which it applied? Will he give us that figure and will he then confirm that, if it is decided at some subsequent date to reintroduce the death penalty, those people will be hanged?

The MINISTER. Mr Chairman, the law of the land is that

Mr P G SOAL. No, I know the law of the land.

The MINISTER. Mr Chairman, it is not that I think the hon member does not know the law.

Mr P G SOAL. But do you know it?

The MINISTER. Perhaps he can just check after I have finished [Interjections.]

The law of the land is that a person, even if not reprieved, may still approach the State President up to the very last moment. We have so many instances of people approaching the courts at the very last moment with applications to suspend an execution. In some cases such applications have been successful and in others not. Therefore these people may still, under a

HOUSE OF ASSEMBLY

(b) With regard to the lease of the Westbank House premises it should be noted that there were three separate leases relating to the area occupied by the South African Rail Commuter Corporation. Two of these expired prior to the physical move of the South African Rail Commuter Corporation to Lincoln Wood Office Park. It is understood that the area covered by these leases is currently occupied by Transnet Limited.

In connection with the third lease contract, it only expires on 30 September 1994. This lease, however, is in the name of the South African Transport Services and not the South African Rail Commuter Corporation. With the consolidation of premises occupied by Transnet Limited, this organisation was pleased to have the opportunity to have the liability for this agreement revert back to it as it was eager to occupy the area governed by the lease.

(c) The decision to relocate the offices of the South African Rail Commuter Corporation from Westbank House to Lincoln Wood was taken after extensive and comprehensive investigations, numerous reports and protracted deliberations.

Ultimately, the primary reason why the Corporation transferred its offices to Sandton was that it was far cheaper to do so than to remain at Westbank House. At the time of the investigation the present net value of the saving over a five year period amounted to R823 593. Even with the softening of the market at the time of the physical move and renewed offers by Anglo American at that time in an attempt to induce the Rail Commuter Corporation to remain in Westbank House, it still proved financially cheaper over a five year period to move from Westbank House to Lincoln Wood Office Park.

In addition to the financial considerations, the following factors were also taken into account

— Lincoln Wood is far more suitably located from the point of view of ease of access by clients, suppliers, tenants and employees

Westbank House was extremely poorly designed from a space utilisation point of view and could not accommodate adequate design for efficient and effective internal communication and liaison, including the provision of meeting facilities and a reception desk.

Improved security and sufficient parking facilities (Within a six month period two of the staff members of the SARCC were stabbed and the entrance foyer was sprayed with bullets)

Toll plazas on N3: cost/toll money

325. Mr W U NEL asked the Minister of Transport

(1) In respect of the N3 toll road between Heidelberg (Transvaal) and Pietermaritzburg for the latest specified 12-month period for which information is available, (a) what was the total cost of (i) operating the toll plazas, (ii) maintaining the stretch of road in question and (iii) further construction work on this section of road, (b) what total amount was collected in toll money and (c) what is the estimated monetary value of toll money forfeited through toll concessions to members of the public,

(2) whether, with reference to the above toll road and 12-month period, his Department paid over any money to a certain company, the name of which has been furnished to the Minister's Department for the purpose of his reply, if so, (a) what is the name of this company and (b) how much was paid over in respect of (i) operating the toll plazas, (ii) maintaining the stretch of road in question and (iii) further construction work on this section of road? B749E

The MINISTER OF TRANSPORT.

(1) Information is available for the period 1 April 1992 to 31 March 1993

Only preliminary results are available and these are subject to adjustment for provision and accruals

(a) (i) R10 467 463

(ii) R 3 324 449

(iii) No expenditure was incurred on construction work on this section of road

(b) R75 267 550 Value Added Tax is not included in this amount.

(c) R1 405 268

(2) (a) Toll Road Concessionaires (Pty) Ltd

(b) (i) R10 263 279

(ii) R 3 324 449

(iii) No amount was paid over in respect of construction work on this section of road

Certain publication: analysis/cost of questionnaires

327. Miss M SMUTS asked the Minister of Communication.

(1) Whether the readers of a certain publication, the name of which has been furnished to the Minister's Department for the purpose of his reply, have been sent a questionnaire to complete and return,

if so, what is the name of this publication,

(2) whether an analysis of the questionnaires returned by readers has been done, if not, why not, if so, (a) what was the result of this analysis in respect of readers' responses to Questions Nos (i) 26, (ii) 19 and (iii) 20, (b) what reader profile emerged in respect of responses to Questions Nos 5 and 7, (c) what percentage of questionnaires so sent to readers was completed and returned and (d) (i) how many copies of this publication are printed and (ii) what is the cost involved per edition? B750E

The MINISTER OF COMMUNICATION

(1) Yes RSA-Beleidoorsig/RSA Policy Review

(2) Yes.

(a) (i) Yes 95,3%
No 4,7%

(243) (ii) Read only certain articles 62,4%
Read all articles 33,6%
Only page through the publication. 2,4%
Read only headlines and captions 1,6%

(iii)	Regularly	Sometimes	Seldom	Never
Interviews	49,2%	40,5%	9,1%	1,2%
Articles	55,8%	38,5%	5,1%	0,6%
Newsflashes	64,5%	26,9%	6,9%	1,6%
Political snippets	65,5%	23,2%	8,2%	3,0%

(b) Semi-civil servant 51,1%
Employee 21,2%
Employer 10,3%
Pensioner 7,1%
In own employ 6,4%
Student/pupil 3,0%
Housewife 0,8%
As subscriber 62,1%

At friends/relatives 2,1%
Other 35,8%

(c) 18,4%

(d) (i) The circulation varies monthly, but averages at 3 300

(ii) The cost per copy is R5,50

Journalist snagged on horns

WHAT do you do as a journalist when you are faced with information that right-wingers are plotting the assassination of a person whose death may push South Africa over the edge and turn the country into a bloodbath?

What do you do if you are faced with the dilemma that the only way of obtaining the information is not to reveal your real identity?

Do you turn around and walk away, or do you give your source the impression that you work for "national security" and that he should, therefore, spill the beans?

Most investigative journalists are, from time to time, faced with a similar ethical dilemma. In news and lecture rooms all over the world, the debate has raged for decades how far can journalists go?

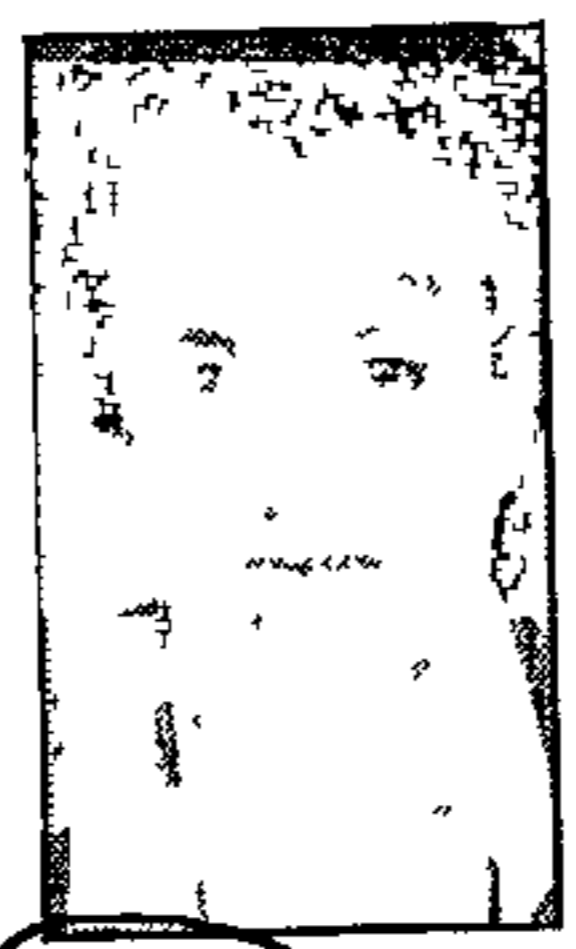
I was introduced to the source, eastern European Peter Slovac, by a right-wing contact, Dame Odendaal, on Sunday night. Odendaal said he could not introduce me as a journalist because Slovac would then not talk to me. He said I should pretend to be a policeman. I said I could not impersonate a policeman and that he should say I worked for "national security". I accept the fact that Slovac may have thought I was a security policeman.

He therefore told me about rightwingers planning the death of South African Communist Party national chairman Joe Slovo. He gave me a detailed account of the plot and said it would be executed between May 15 and 21.

This information was published in The Star on Tuesday, and since then the police have confirmed that they believed that there was a plot to assassinate Slovo.

The facts of the story have never been in question. What

Great controversy surrounds The Star's decision to publish details of the Joe Slovo murder plot. The reporter has been accused of impersonating a police officer, destroying the police investigation and never consulting with them. Here is JACQUES PAUW's version of his investigation leading to publication of the report.



has happened since, however, is that I, the messenger of the bad news, am being accused of destroying the police investigation and impersonating a policeman.

Police are now threatening to charge me, while Beeld called it "unprofessional and unethical behaviour that cannot be tolerated".

I do not want to judge my own behaviour, but I do want to remind readers that I was not dealing with a trivial matter.

I was faced with the public's and Slovo's right to be informed about a plot to kill him. Yes, of course, I am a journalist and was chasing a good news story, but there was an overriding public interest in exposing the facts.

I have been dealing with death squads, Civil Co-operation Bureau (CCB) operatives, members of Military Intelligence, right-wing assassins and murderers for the past five years. It is a murky world of dark secrets, lies, deceit and of madmen hatching lunatic plots.

It is not a world where the Queensberry rules or textbook ethics are going to get you the story — in many cases about life-threatening events and quite clearly of vital public importance.

On Sunday night I spoke to Odendaal, who gave me some details about the plot. Oden-

daal, who is also a police informant, said he had met Slovac the week before and had been told about the plot. I asked him to try to arrange a meeting with Slovac.

I immediately phoned Slovo at his Observatory, Johannesburg, home and told him there may be a plot to assassinate him. He was surprised and said it was the first he had heard about it.

I met Odendaal late on Sunday night and — on our way to Berea where we were to meet Slovac — he told me that the police had already been informed about the plot and that there was no way Slovac was going to talk to a journalist. He wanted to introduce me as a policeman working on the investigation.

I told him that I could not impersonate a policeman and asked him to tell Slovac that I worked for "national security" and was also investigating the case. Before I met Slovac, Odendaal got out of the car and spoke to him. I do not know whether the "national security" introduction was used.

When Slovac came to the car, I was introduced as Andre. We went to a Yeoville bar where he gave me details about the plot. Did I believe him?

What was clear, is that more was at stake than mere bar talk. The alleged assassins

knew where Slovo lived, had done surveillance on him with a white Toyota Cressida and had planned the assassination in detail. What was very disturbing was that the assassination date was only a week away.

The Star did not pay either Slovac or Odendaal for any information.

I visited Slovo and his wife early on Monday morning. They were both very disturbed about the news and said they had certainly not been given details about the plot by the police.

The police had informed Slovo on April 24 that a white Toyota Cressida was seen in the vicinity of his house, but, according to the Slovos, never gave them details of a plot nor did they mention the May 15 target date.

After visiting Slovo, I telephoned Colonel Roelf Venter of the Crime Information Service in Pretoria and gave him the names of the plotters. He later came back to me and said I should phone Colonel Zirk Gouws in Johannesburg who had details about the investigation.

Gouws was at a Peace Secretariat meeting and his assistant said he (the assistant) knew nothing about the plot. I managed to see Warrant-Officers Chris Lombard and Johan du Preez, the two investigating officers, on Monday afternoon and told them in detail what I knew.

Police said this week: "A reporter entrusted with sensitive information had chosen to reveal it without prior consultation with the police."

It is a blatant lie. I informed and consulted with three police officers.

I fully informed a senior editor on Monday morning about the information I had obtained. The ultimate decision to publish was his.

● Jacques Pauw did not identify himself as a journalist because he believed that by doing so he may not have been able to uncover an assassination plot — something which was clearly in the public interest. The Star's standing instruction to

all reporters is always to identify themselves as journalists from the paper — Editor.

It was never my intention to destroy a police investigation, but I had to take the following into account:
● The assassination date was only six days away. How long was I supposed to withhold my information? Until after the 15th?
● What if Slovo was assassinated in the meantime?
● I was not impressed with the police investigation. Lombard and Du Preez said to me on Monday afternoon that they had difficulty making any progress. The Star managed to speak to another alleged plotter on Tuesday night who confirmed that there was a conspiracy to assassinate Slovo. By that time, the police had not even questioned the man, although they had his name and details.
Publication of the details will hopefully lead to better protection of our political leaders.
I have been in situations before where I was blamed by the police and the Afrikaners media for exposing sensitive information about certain actions of members of the CCB. In that case I was also blamed for destroying a police investigation.
Ironically, we are still awaiting charges against former CCB men. Was it in the end not better to expose everything in the media and precipitate the termination of the CCB?
The fact remains that had the media kept quiet about the CCB, Military Intelligence and police death squads, the public would still be in the dark. □

OT dilemma

Throwing focus on RECONSTRUCTION

THIS country has many memorable legends and a considerable store of cultural artifacts we have ignored at our peril

My attention was brought to this by a black South African, Dr Stanley Letanka, now living in Britain

A few years before I started the thinking on Nation Building, Dr Letanka, a family friend from the days of the old Sophiatown, said he and other expatriates were exasperated by and weary of the same tired political argument, the same angry rhetoric

The world, he said, needed something new, something more inspiring and visionary, particularly from strife-torn places like South Africa

Dr Letanka was a visionary. He said these things a few years before Mikhail Gorbachev introduced his world-shaking reforms in Russia and before Mr FW de Klerk's speech in 1990. He opened, for me, visionary vistas, touched on creative impulses that were lying dormant in me and I dare say many of my folk.

So, in 1988, soon after I became Editor of *Sowetan*, I wrote a paper on an idea that came to be called Nation Building. I painted a canvas that took some South African history into account, that informed itself of some African history and part of the history of the world

Before I touch on that, let me bring you to the present by drawing a view, a type of legend surrounding the spate of burials we have recently had

South Africans were given a view that was exclusively black when the SABC showed the Chris Hani and Oliver Tambo funerals. For the first time in many years white South Africa was let into a drama-filled picture of black life — the good, the dignified and the anger

Chris Hani's death was symbolic in more ways than one. The political aphorism that says the tree of freedom is watered with the blood of martyrs was given what was to me effective and striking demonstration. Many who did not previously think much of Mr Hani came out in total solidarity. Others, including the State President, were shaken by the reaction to the death of this man, who was generally regarded as some red hot terrorist or worse

It was a cathartic experience for blacks who may have and probably are still having doubts about the suitability of negotiating with the once hated and totally mistrusted enemy

Oliver Tambo's funeral was not as emotive, perhaps, because he died a natural death but also because he did not strike the radical chord in many young people who saw him as part of the Old Guard

The 1960s are a significant historical era to start this story. It was then that the late British Prime Minister, Harold Macmillan, delivered

This is a speech delivered by **Aggrey Klaaste**, Editor of *Sowetan*, at the Liberty Life VIP convention held at Sun City:

Sowetan 14/5/93.

his "winds of change" speech. The democratic winds of change which he had imagined would blow through South Africa and the continent ran red with blood for many years

Dr Kwame Nkrumah told black leaders to seek the political kingdom first and everything would fall into place. To his and everybody else's surprise nothing fell into place after Uhuru

In America Martin Luther King gave his "I have a dream" speech. That dream, for many black Americans, is something of a nightmare

Finally, in 1960, the ANC and the PAC were banned, a watershed event whose effects are felt today

These events that, for the benefit of my discourse, must include the way the Afrikaners built their nation, "*Die Volk*", before and after 1948, to contextualise the Nation Building thinking

South Africa must use the black population as the foundation to one nation. That foundation has been destroyed by apartheid

Historical events

Nation Building uses these major historical events to inform the route to that eventuality. For if those actors who influenced the history of the past had dwelt more urgently on rebuilding and reshaping the oppressed or colonised people, the democratic winds of change would have started 30 years ago

Steve Biko and his Black Consciousness apostles had hold of part of these truths. They recognised the damage caused to blacks, the damage to our bodies, to our minds and to our spirits. They spoke of a process of building that they described as conscientisation

They created a confrontationalist Black Power position which led to Biko's death

They might not have said it but in the end they probably believed that all South Africans should be involved in repairing apartheid's damage

Today the same process has different definitions, some call it redistribution of resources, some call it black advancement and others say it is affirmative action. At *Sowetan* we give it a broader socio-political and economic description we call it Nation Building



As a newspaper we are able, or have a choice (a difficult one in fact) to stay clear of ideological definitions that narrow or limit the creativity of the idea. The idea itself is common sense. Unless the majority of blacks are turned into useful, productive, healthy and satisfied parts of our society, there will never be peace in South Africa

We can and must do it together. It will need the commitment and the combined resources of all South Africans. We have done some of the spade work. We have traversed the difficult terrain of matching white financial resources with black manpower. We have traversed and in a special way overcome the age old race problems involving co-optation at the best of times and selling out at the worst

We have to a large extent succeeded in impressing politicians from the entire spectrum of black politics. We have not been able to impress our ideas on Afrikaners or other white rightwingers. But we will

We wish to educate all South Africans that blacks in particular need to be developed economically, spiritually and otherwise for our united survival. That will lead to a diminution of political and criminal violence

Finally, we will tell our Afrikaner fellow South Africans and others who might be fearful of blacks that people who are proud of who they are, who have a grip on the essential ethical ideas like Ubuntu in their armoury, will not necessarily wish to crush the self-determination of others. We will tell them it is perfectly in order for them to have their "*Boerestaat* or *Volkstans*" but to have them rather as a colourful and effective part of the total South African race tapestry, a rainbow coalition of black, Asian, so-called coloured, Afrikaner, English and other races

The Nation Building ethos finds the social engineering of the apartheid architects as distasteful and unacceptable as that which wishes to force the various South African tribes, black, white and brown, together in a multiracial melting pot

We have excellent Asian communities that should be an example to the type of diverse ethnic and even exotic, if you like, communities that can make up the South Africa of the future

Broadcasting

complaints

Star 15/15/93
body to be

set up soon

THE National Association of Broadcasters (NAB), established 14 months ago to represent electronic media-broadcasters in SA, is setting up a Broadcasting Complaints Commission (BCC), according to NAB chairman Stan Katz.

This follows the Press Council's decision not to allow any electronic media to join.

"The BCC will mediate in and adjudicate on complaints against those members of the NAB who submit themselves to its aegis and all full members of the NAB are likely to sign the BCC constitution and accept its code," he said

(243) Fines

The code covers the spectrum of broadcasting content, including political matters, issues of news and public morality. The code will be fully enforceable and transgressors can be ordered to broadcast corrections or apologies and pay fines.

And the BCC will be constituted under an independent chairman.

"It will be a truly independent body, enforcing self-regulation of the highest ethical order ... and from our contact with Government and opposition political groupings," Katz said

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Media's role twofold, says editor

By Norman Chandler
Pretoria Bureau

243

Greater demands will be placed on the media during the political transition period, says The Star's editor-in-chief Richard Steyn.

Writing in the latest edition of "Prospects: South Africa in the Nineties", published by the Human Sciences Research Council, Steyn said the role of the media would be "a source of sharp controversy".

The media's role was seen as twofold — "to educate a largely unsophisticated electorate in the rudiments of multiparty democracy and to report, describe and comment upon the policies and performance of the competing parties".

Steyn added that because the press was owned by the private sector, it enjoyed a freedom of expression not

given to public radio and television

"Yet newspapers have a duty to be fair in their treatment of political issues. Far greater demands will be placed upon us in the transition period as we address a more diverse audience and attempt to do justice to a much wider range of parties than before," he said.

Pointing out that before other elections, newspapers had taken up positions according to their attitude towards apartheid, Steyn said that in the current situation, cherished values were no longer the preserve of any one party.

One of the biggest complicating factors for all three arms of the media — television, radio and print — would be what he called the "distraction of the first election".

Predicting that intimidation would be rife, reporters in the townships were likely to be particularly vulnerable to pressures inflicted "by intolerant elements who are unwilling to allow opinions other than their own".

The likelihood of monitoring the press to ensure equitable access and fair reporting was acceptable in practice, but he has reservations about its effects.

"Elaborate attempts at even-handedness may keep politicians happy but they tend to produce soporific coverage as each party is dutifully canvassed for views on the issues

"We need experienced, tough-minded producers and probing, non-partisan interviewers who will cross-examine the major politicians and get behind the bromides of party policies," he said.

Once the first election was over, newspapers would play a key role in the transition — "If the transition turns out to be the rollercoaster ride most people expect, we will need to contextualise our coverage and not allow ourselves to be distracted by setbacks and disappointments along the way.

"Tolerance and compromise are the essence of democracy, and the media will be an important factor in creating a climate of give and take," Steyn said.

There were three obstacles to a peaceful transition to democracy — misinformation, disinformation and ignorance — and the media needed to combat these and at the same time transform itself into a communications system that reflected more faithfully the interests of the total society.

Labour Briefs

● Steel and engineering workers, seeking wage increases ranging between 14 and 51 percent, have asked managers to improve their offer of 4,5 percent before June 4.

● The average length of strikes last year — 12,6 days — was almost double that of 1991, says the Department of Manpower in its annual report to Parliament.

● Training in worker safety, says the department, was also shown to be "of the utmost importance" by the fact that of the 363 people killed within their first year of employment, 276 had had no previous job experience. — Labour Correspondent.

SUNRISE

Tomorrow 6:40 am

SUNSET

Today 5:28 pm
Tomorrow 5:28 pm

MOONRISE

Today 2:50 am

TEMPERATURES WORLDWIDE

City	Min	Max	City	Min	Max
Amsterdam	8	24	Brussels	8	18
Athens	14	24	Cairo	23	39
Auckland	15	19	Chicago	8	22
Barcelona	27	32	Geneva	7	19
Barcelona	10	23	London	14	22
Berlin	14	24	London	8	17
Berlin	7	20	New York	18	24

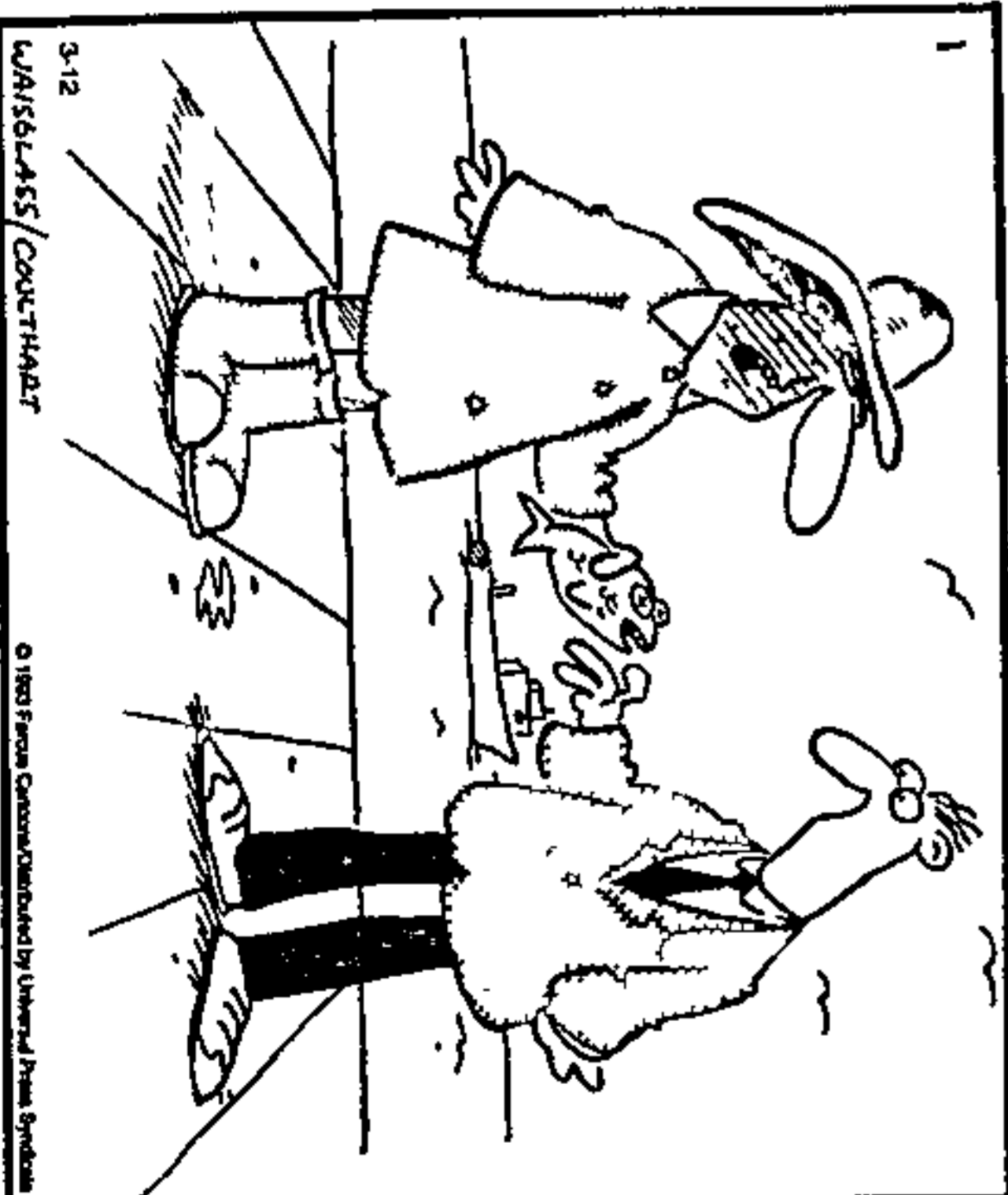
TEMPERATURES NATIONAL

City	Min	Max	City	Min	Max
Pretoria	7	24	Johannesburg	3	20
Klerksdorp	3	23	Pietersburg	8	24
Bloemfontein	0	22	Kimberley	1	23
Cape Town	9	22	Bethlehem	-1	20
East London	11	24	Durban	14	28
			Vereeniging	1	21
			Nelspruit	9	22
			Upington	4	25
			Port Elizabeth	10	24
			Mantzburg	2	24

Weather forecasts for the PWV area are available on an automatic answering service. The number is (012) 219621.

Farcus

by David Walsglass
Gordon Coulthart



SPCA

By Shirley Woodgat

Pitbull terriers are brutal killers, say SPCA's Dr Lesley I. She was reacting to the advice yesterday breeder — whose month-old daughter

FOUR

Labour Correspondent report on the Sacc was replaced in its original form. It is greeted

Lonrho plans to launch paper with ANC

LONRHO was going to start a newspaper in partnership with the ANC, Lonrho CE Tiny Rowland said on Friday

Speaking at a news conference at Moonooi in the western Transvaal, Rowland said former Observer editor Donald Trelford would run the paper similar to The Mail on Sunday, the upmarket British tabloid

"There are great opportunities in SA and we will have a greater involvement in the country within the next 12 months" However, he said Lonrho had made no firm decisions as it was assessing political and

JONO WATERS

economic developments.

He said that Lonrho's relationship with the ANC leadership was "excellent"

Rowland was in SA for the naming of a new R150m shaft at Western Platinum in his honour Lonrho has a 73% stake in the unlisted Western Platinum operation. The balance is held by Gencor.

He said Lonrho had no intention of selling its control of Western Platinum to Gencor but it was possible the group might let Gencor increase its stake.

Lonrho SA MD Terence Wilkinson said expanding Western Platinum's annual production of 700 000oz of platinum was not going to bring additional metal on to the market. "We do not sell on the spot market. Our 14 clients take all we can produce"

He said the company could produce a further 150 000oz at a low capital cost

Lonrho joint CE Dieter Bock said Lonrho was not going to sell off its interests and focus on one industry as the company wanted to keep a certain level of diversification. "We have to stay flexible."

● Picture: Page 3

81007 17/5/73

243

Argus-Caxton battle begins final stage

By Norman Chandler

Star 115193
243

Argument will be heard in the Rand Supreme Court today on the position of Argus Holdings in regard to an application by CTP Ltd (Caxton) to stop Argus breaching trade agreements. Argus has denied the claim.

The Argus legal team is to present heads of argument following submissions by Caxton that Argus would be breaching agreements relating to local and free newspapers reached between the two parties in 1980 and 1985.

Caxton is seeking an interdict restraining Argus. The case

was originally set down for a day and a half, but after listening to argument for three days last month, Mr Justice Goldstein postponed the matter to today.

Argument so far has revolved around the definitions and interpretations of circulation areas and of phrases used in the newspaper industry, such as "local", "regional", "publish", "print" and "distribution".

When the court adjourned on April 23, D Fine, SC, for Argus Holdings, said that the applicant had not defined "where local starts and where local ends".

Newspaper row: oral evidence may be heard

Star 18/5/1983

By Norman Chandler

If a CTP Ltd (Caxton) application to restrain Argus Holdings from publishing supplements — which allegedly breached trade agreements — between the two companies — cannot be resolved through argument, then a request may be made for oral evidence to be heard.

This was said in the Rand Supreme Court yesterday when Caxton senior counsel B Levin replied to argument presented by D Fine, SC, for Argus.

Levin told Mr Justice E Goldstein that greater clarity

of argument relating to separate free newspapers and free-sheets may need to be resolved through oral evidence, and, in particular, evidence from a former Argus executive director, H W Miller, relating to a letter written by him to Terrence Moolman, a Caxton director and second applicant in the case.

The September 11 1980 letter referred to a "free-sheet" to be inserted in the Cape Herald newspaper in Cape Town and later distributed free in Mitchells Plain. Caxton claims Miller had acknowledged the difference between a supplement and a free-sheet.

2143
In his heads of argument on behalf of Argus, Fine told the court that supplements — "like the Holy Roman Empire which was neither holy nor Roman nor an empire — are neither separate nor free nor newspapers".

Supplements would not be published separately from the main newspaper nor would they be sold free, and an undertaking in this regard had been given to the applicants. It was also argued that Argus Holdings Ltd should, as a result of its delegation of powers to Argus Newspapers Ltd, no longer be regarded as first respondent and that

Argus Newspapers be the only respondent.

The judge commented that this could mean the first respondent (Argus Holdings) could not be stopped from doing what it wished.

In argument on protectable interests, Argus said Caxton had not limited the period of restraint but was, instead, trying to restrict competition.

At the start of answering argument by Caxton's counsel, the judge said the problem "in a nutshell was that it appeared to be that a supplement is not a separate free newspaper. I do not know

what local is, what local and regional means."

Levin argued there was no difficulty and that the term "separate free newspaper" was defined in the trade restraint agreements. "The term 'supplement' is a clever disguise. A product containing a supplement will be delivering a 'free' newspaper."

Mr Justice Goldstein said Argus was in the regional field and Caxton in the local, and "there is no reason why both companies should have fossilised in terms of the 1980 agreement. The contract is not clear." The hearing continues.

ANC confirms it met Lonrho over paper

CT 18/5/93 Own Correspondent (112) (243)

THE African National Congress confirmed yesterday that it held a meeting with the Lonrho chief executive Mr Tiny Rowland two months ago in connection with starting a newspaper.

An ANC spokesman said, however, that nothing concrete had yet been communicated to the organisation in connection with the project.

Mr Rowland announced this week his company could be starting a newspaper in partnership with the ANC. He said the former Observer editor, Mr Donald Trelford, would run the paper.

De Klerk set for July meeting with Clinton

CAPE TOWN — President F W de Klerk will meet US President Bill Clinton in July

De Klerk yesterday confirmed he had accepted an invitation to visit the US, along with ANC president Nelson Mandela, to receive a joint award on July 4 for promoting the traditions of the American founding fathers

"I plan to attend the function," he said outside Tuynhuys yesterday

The ANC has indicated that Mandela will visit the US, thereby setting the stage for a joint meeting with Clinton shortly before he attends his first G-7 summit with the seven major industrialised nations in Tokyo on July 7.

The ANC said yesterday Mandela would visit the US for 12 days from June 25.

If sufficient progress is made in negotiations, the two SA leaders could make a joint plug for the lifting of sanctions and the need for investment in SA.

Meanwhile, Sapa-AP reports from Philadelphia that Clinton has agreed to present the 1993 Philadelphia Liberty Medal to De Klerk and Mandela.

Clinton confirmed earlier this month that he would attend the ceremony on Independence Day, mayor Ed Rendell said

The Liberty Medal, established in 1988, honours an individual or organisation that has demonstrated leadership and vision in the pursuit of liberty or freedom from oppression, ignorance or deprivation

Previous recipients were Polish Presi-

Political Staff

dent Lech Walesa in 1989, former US president Jimmy Carter in 1990, former Costa Rican president Oscar Arias and the French medical and human rights organisation Médecins Sans Frontières (Doctors Without Borders) in 1991.

Last year, the medal went to former US Supreme Court judge Thurgood Marshall, the first black to sit on the high court

Martin Meyerson, president emeritus of the University of Pennsylvania who chaired the international selection panel, praised De Klerk and Mandela for their tireless work to reform SA

"They have mutual goals for SA peace and understanding among their people," Meyerson said "They are men of vision and determination, and they epitomise the ideals behind the Liberty Medal"

SA ambassador to the US Harry Schwartz said the joint award was a fitting recognition of their work.

"The joint award symbolises the determination of South Africans to not only hold a universal franchise election and a government of national reconciliation as soon as possible but to create a just economic system and meaningful improvement in living standards," Schwartz said.

"Independence Day in the US will this July 4 have a particularly important meaning for most South Africans"

UK editor 'open' to Lonrho paper offer

243 CHRIS BATEMAN

LONDON — The editor of the Observer, Donald Treford, confirmed yesterday that if his boss Tiny Rowland made him a formal offer to start an SA newspaper, he would give it "serious consideration".

Treford said the Lonrho chief — who has vast investments in Africa — had mentioned Press projects in SA and Nigeria, adding that he would "like me to stay on with Lonrho and look after their media interests".

However, he scotched reports that anything definite had been decided for SA

"I'm still editing the Observer and I haven't thought of what I'm going to do afterwards — Tiny mentioned that this might be the kind of thing I might like to have a look at (setting up an SA newspaper)," Treford said

While Treford did not contradict Rowland's assertion at the weekend that he had "an editor available from London" to launch an SA newspaper, he said reports that "anything is definite" were "way off beat"

He had met the ANC's Pallo Jordan several months ago, gaining the impression that the organisation was "not ready to own or have any direct association with a newspaper yet"

ANC spokesman Carl Niehaus said yesterday the ANC would have no editorial control over a proposed new newspaper financed by Lonrho

Niehaus said any such publication would be totally independent, with the ANC merely "facilitating" its establishment. The organisation would also not own shares in the publication. Niehaus stressed that the project was still in the investigative, speculative stage

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Caxton may call witnesses in its dispute with Argus

(243)

ARG 18/5/93

□ Definitions of a 'supplement' and a 'free sheet' argued

The Argus Correspondent

JOHANNESBURG — If an application from printing and packaging giant CTP Holdings to restrain Argus Holdings from publishing supplements — which allegedly breached trade agreements between the two companies — could not be resolved through argument, then a request might be made for oral evidence to be heard.

The Rand Supreme Court was told this yesterday when Mr B Levin, senior counsel for Caxton, which holds a controlling interest in CTP, replied to argument presented by Mr D Fine, SC, for Argus.

Mr Levin told Mr Justice E Goldstein that greater clarity of argument relating to separate free newspapers and free sheets might need to be resolved through oral evidence, in particular evidence from former Argus executive-director Mr Hal Miller relating to a letter written by him to Mr Terrence Moolman, a Caxton director and second applicant in the case

The September 11, 1980, letter referred to a "free sheet" to be inserted in the Cape Herald newspaper in Cape Town and later distributed free to Mitchell's Plain households

Caxton claims Mr Miller had acknowledged the difference between a supplement and a free sheet

Mr Justice Goldstein said he found the request from Mr Levin difficult because argument was already in its fourth day, and that the applicants should have stated their intentions on the first day

In his heads of argument on behalf of The Argus, Mr Fine told the court that supplements "like the Holy Roman Empire, which was neither holy nor Roman, nor an empire, are neither separate nor free, nor newspapers."

He said supplements would not be published separately from the main newspaper, nor would they be free, and that an undertaking on this had been given to the applicants

Supplements were also not newspapers within the ordinary grammatical meaning of the term and were subject to con-

trol by the editor, not registered with the Department of Home Affairs. They did not carry an imprint in terms of the Newspaper and Imprint Act

It was also argued that Argus Holdings should as a result of its delegation of powers to Argus Newspapers no longer be regarded as first respondent and that Argus Newspapers be the only respondent

Mr Justice Goldstein said this could mean the first respondent (Argus Holdings) could not be stopped from doing what it wished

In argument on protectable interests, Argus said Caxton had not limited the period of restraint, but were instead trying to restrict competition.

Although the agreement between the two companies did not fall within the Promotion of Competition Act, there were some sections that could be regarded as "unlawful restrictive practices" and in particular in regard to "horizontal collusion on market sharing."

At the beginning of answering argument by Caxton's counsel, the judge said the

problem "in a nutshell is that it appears to be that a supplement is not a separate free newspaper. I do not know what local is, what local and regional means"

Mr Levin argued there was no difficulty and that the term "separate free newspaper" was defined in the trade restraint agreements

"The term 'supplement' is a clever disguise. A product containing a supplement will be delivering a 'free' newspaper. As a subscriber you would get it with The Star. The recipient will not pay for the 'free' newspaper."

Caxton was concerned that The Star was merely a means of distribution of a 'free' newspaper (a supplement) — "by using the term supplement, Argus has tried to persuade the court this is a different product"

Mr Levin added "The Star is entitled to deal with local matters in its columns, *ipso facto* they can target specific local areas by producing the same product we produce. The only difference is the method of distribution."

The hearing continues

Bid to restrain The Star fails

Star 19/5/93

By Norman Chandler

An 18-month bid by CTP Ltd (Caxton) to restrain their associate business organisations, Argus Holdings Ltd and Argus Newspapers Ltd, from publishing supplements in The Star and other newspapers was dismissed with costs in the Rand Supreme Court yesterday.

Delivering judgment at the end of a five-day hearing, Mr Justice E Goldstein said Caxton's argument that supplements published by The Star, in particular, were "separate free newspapers" was not valid.

In reaction to the judgment, the chief executive of Argus Holdings, Doug Band, commented yesterday that the "very fact that this issue got to court was an enormous disappointment to me".

He added: "Attempts to resolve these differences endured over almost two years. It is always extremely sad when relations have to resolve disputes through the law. The court's judgment speaks for itself."

Argus and Caxton enjoy interlocking shareholding and directorships, and have been associated for more than 10 years.

Graeme King, general manager of The Star, said last night: "I am delighted that we are now able to proceed with The Star's regional supplements (known as Focus) which readers and

advertisers have requested and supported.

"Formulating closer links with all the communities that we serve is important to The Star and we will provide innovative ways in which to do this."

Caxton had asked for Argus to be restrained from directly or indirectly publishing, in the first instance, "a separate free newspaper anywhere in South Africa or Namibia or a local newspaper anywhere in South Africa". A second request was that other publications, known as Focus, and targeted at specific areas in which The Star circulated, should also be stopped.

243 Negotiated

Handing down his judgment, Mr Justice Goldstein said Caxton published local newspapers which were extensively suburban in character and targeted at municipal areas. This was regarded by them as being "local".

On the other hand, The Star, The Argus (Cape Town) and the Daily News (Durban) were regional newspapers as referred to in restraint of trade agreements negotiated between the two companies in 1980 and 1985.

The judge said that in his view, supplements published by The Star were not free, as argued by Caxton, and had to be obtained by people buying the newspaper.

He added: "People pay for all the contents of The Star newspaper ... I reject the contention (by Caxton) of the

supplements being free."

He also could not allow the restraint based on the argument that the publications (supplements) are not separate.

Regarding the second request, the judge said restraint of trade agreements agreed to by the companies did not in the view of the court prohibit Argus from starting "businesses (supplements) smaller than those circulated by The Star and The Argus. I therefore cannot say yes to the second."

He declined to express a view on an affidavit handed to him in Chambers by Caxton on May 14 as well as on an answering affidavit filed yesterday.

The affidavits dealt with factual disputes in evidence, which were raised by B Levin, SC, for Caxton, during argument on Monday.

Levin had said he would be asking for former Argus executive chairman H W Miller to give oral evidence on a letter written by him to Terrence Moolman, a Caxton director, in 1980 over a decision by the respondents to issue a "free sheet" in Cape Town.

D Fine, SC, assisted by A Thompson, instructed by Cliffe Dekker and Todd, appeared on behalf of Argus Holdings Ltd and Argus Newspapers Ltd. B Levin, SC, assisted by F Eloff, instructed by Fluxman Rabinowitz-Raphaely Weiner, appeared for CTP Ltd, T D Moolman, N M Coburn and M D W Short.

Peers honour Sowetan staffer

Sowetan 19/5/93. (243)
Prestigious award for biggest daily newspaper again.

By **Lulama Luti**

SOWETAN Day editor Barney Mthomboti has been awarded this year's prestigious Nieman Fellowship to Harvard University in the United States

Sowetan Managing Editor Joe Thloloe said "We are delighted that Barney has been given this fellowship. He deserves it. In the few months that he's been with *Sowetan*, he has proved to be an outstanding journalist with a wide view of the world."

"This stint at Harvard should enrich him and the *Sowetan* even further."

Mthomboti (41) becomes the third Niemann Fellow at *Sowetan*. The others are Thloloe and Editor Aggrey Klaaste.

An elated Mthomboti yesterday said he was honoured to have been chosen for this prestigious fellowship.

"It is a great honour for me especially because one is being honoured by one's own peers," he said.

Mthomboti joined *Sowetan* as Day Editor in February.

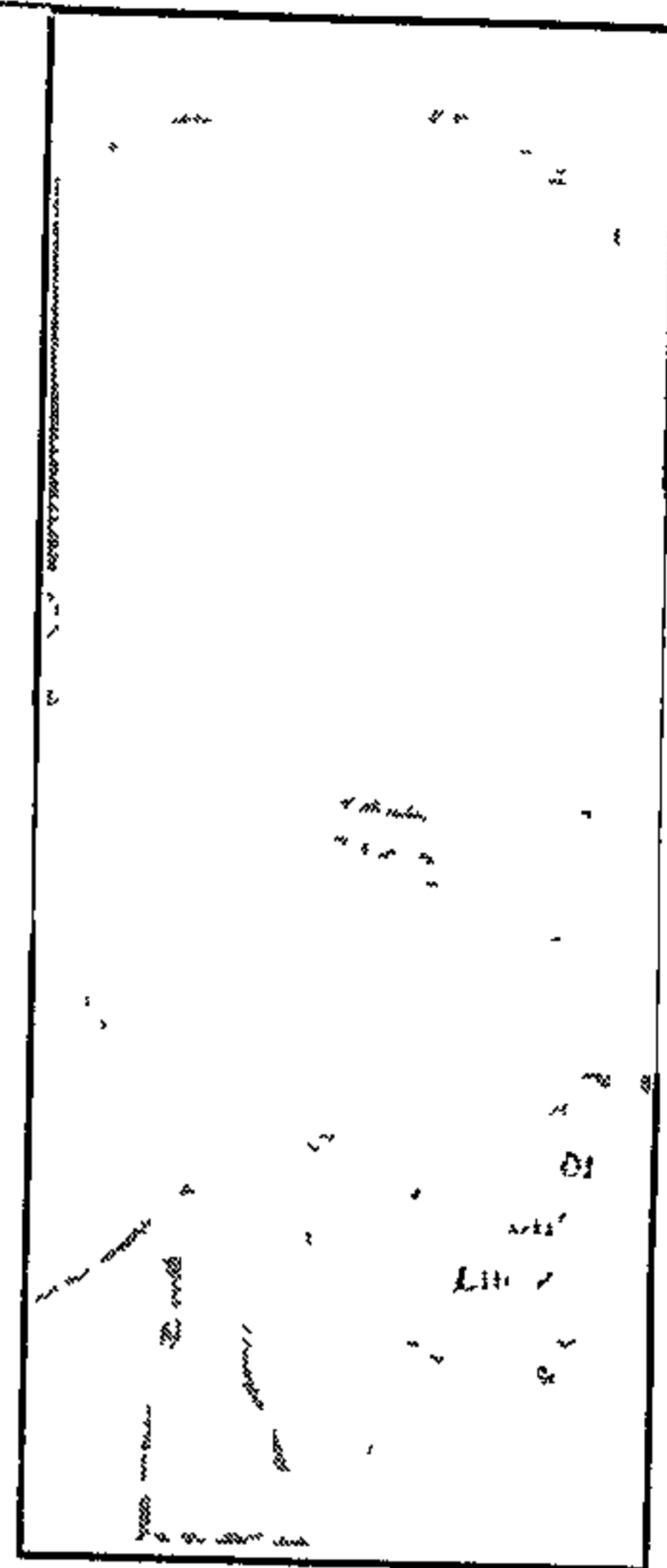
He started as a journalist in 1978 when he enrolled with the then South African Associated Newspapers cadet school.

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In 1985, he was awarded a Reuter Fellowship and spent a year at Oxford University studying various aspects of international relations. In 1988 he spent a month touring the US on an international visitors' programme. He spent two years with the BBC World Service in London working as a producer.

Mthomboti returned to South Africa in April 1991 to join the Argus Africa News Service as a senior writer. His stay at AANS took him to various African countries, covering the democratic changes and elections on the continent.



Barney Mthomboti

Argus wins case against Caxton

JOHANNESBURG — An 18-month bid by CTP Ltd (Caxton) to restrain their associate business organisations, Argus Holdings Ltd and Argus Newspapers Ltd, from publishing supplements in their newspapers was dismissed with costs in the Rand Supreme Court yesterday.

Mr Justice E Goldstein said Caxton's argument that supplements published by the Star, in particular,

were "separate free newspapers" were not valid.

Caxton had asked for the Argus to be restrained from directly or indirectly publishing, in the first instance, "a separate free newspaper anywhere in South Africa or Namibia or a local newspaper anywhere in South Africa". A second request, was that other publications, known as

Focus, and targeted at specific areas in which the Star circulated, should also be stopped.

The judge said that in his view supplements published by the Star were not free, as argued by Caxton, and had to be obtained by people buying the newspaper.

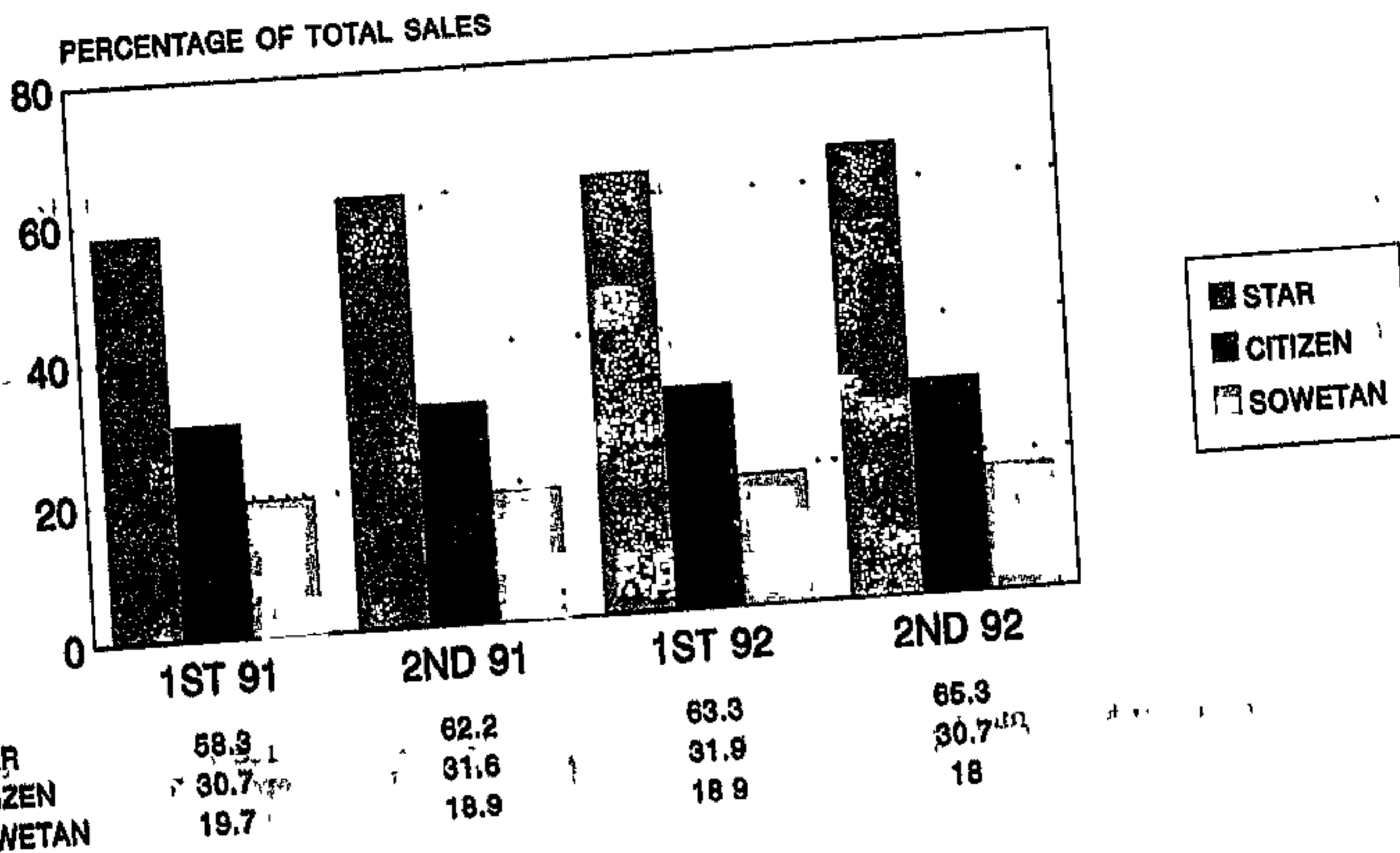
He also could not allow the restraint based on the argument that

the supplements were not separate

Regarding the second request, the judge said restraint of trade agreements agreed to by the companies did not in the view of the court prohibit Argus from starting "businesses (supplements) smaller than those circulated by the Star and the Argus I therefore cannot say yes to the second" — Sapa

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NPU SALES BREAKDOWN GREATER JHB



MON-FRI

Star outstrips other dailies

The Star has outstripped the other main daily newspapers in sales penetration of the greater Johannesburg area which includes Randburg, Sandton, Johannesburg, Alexandra and

Soweto. Figures supplied by the Newspaper Publishers' Union show that Star sales in those areas for July to December 1992 were 134 643 (65 percent of total sales) compared

with the Citizen, 41 593 (30 percent); and Sowetan, 39 068 (18 percent). Current total circulation figures, including country area sales, also show great growth. Daily Star sales for April were

222 482, an eight percent increase on last year. Saturday sales at 174 516 were up 10,8 percent and Sunday Star showed a huge increase to 133 342 — up by 70 percent. — Staff Reporter.

Star 21/5/93 (243)

SA Panorama to be privatised ²⁴³

PRETORIA. — South African Panorama, a government-sponsored publication largely aimed at promoting culture and tourism, is to be privatised and become African Panorama. The new owner is Mr Urs Honegger, a Swiss who emigrated to South Africa three years ago, the South African Communication Service reported. — Sapa. AP/21/8/93

WHEN Tiny Rowland's bid for the Observer newspaper in February 1981 was referred to the Monopolies Commission, editor Donald Trelford set about compiling a submission that disparaged Rowland's suitability as an owner. But accurate information about Rowland's background was surprisingly meagre.

Trelford deployed his staff to flesh out the most important story in the newspaper since its foundation. Their task was to fill the glaring gaps in accounts of Rowland's life between 1939 and 1948.

Trelford's fears were dismissed by Rowland. There was not, he said, "any real risk" of a conflict of interest between his roles at Lonrho and at the Observer. The Observer was not read widely in Africa, he claimed, and if a conflict of interest did arise "Lonrho would not impose any limits on the Observer whatever the cost". Yet Rowland knew that concerns about his interference would remain. He therefore proposed that he would accept a board of "independent directors", appointed and paid by Lonrho, to supervise and guarantee the editor's freedom.

When the Monopolies Commission approved the bid, Trelford's position became, in theory, delicate. Having led the campaign against Rowland, he might have expected dismissal, and future employment prospects for 44-year-old ex-editors were dim. As a great Fleet Street survivor, Trelford understood the constraints.

One of the stories that would not appear was the background material collected about Rowland by Observer journalists. Included were snippets from Rowland's security dossier provided by white intelligence officers at Zimbabwe's new Central Information Office. Since 1961, Rhodesian intelligence officers had, with the help of MI5 and MI6, compiled an unflattering profile of UDR's enemy. Among the morsels sent to Trelford were details of Rowland's membership of the Hitler Youth, his abrupt discharge from the army and his controversial mining deals before taking over Lonrho. Some information had already been passed to other newspapers. The remainder he de-

The rebel tycoon who secured an editor's obedience

RIDM 21/5793
243

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At the newspaper, the Lonrho directors were called "The Crazy Gang". Their interference erupted on the eve of the 1983 election.

In a retrospectively irreconcilable conflict of accounts, there are only two certainties: a debate occurred between Trelford and Rowland's head office on the eve of the election over which party the Observer should endorse, and the final decision was the editor's.

Towards the end of the last week before the election, an editorial conference, filmed by a BBC television crew, witnessed Trelford and his deputy Anthony Howard having a discussion and deciding that the Observer would oppose the Tories. On the Saturday morning, Howard, a committed Labour voter, read the leader entitled "Stopping a Tory landslide". That evening Howard noticed the leader had been partially rewritten in support of a "Mark II" Conservative government. Incensed, he sprinted to Trelford. "You can't do this," he said. "We went through agony for this." Trelford was honest.

"Tiny insisted. In a moment of what Howard calls "inspiration" he exclaimed: "But the BBC filmed our discussion about stopping a Tory landslide. If we change, we'll be exposed."



□ ROWLAND

"Are you sure?" asked Trelford. "I saw them do it."
"OK. Change it back."
Trelford appreciated that his personal future depended upon constructing a harmonious relationship with Rowland. Among his concessions, he "gave" the expanded business section to the proprietor in exchange for keeping control over the

newspaper's main section, which he deemed more important.

Rowland soon saw the back of his enemies on the paper and some staff clutched at the straw that, since those changes, his interference had ceased. Trelford knew better.

In April 1984, Trelford flew to Harare to interview Robert Mugabe, an arrangement organised by Rowland in a clear attempt to improve relations with the president. But while there he decided to investigate massacres carried out by Mugabe's Fifth Brigade. He wrote a long report.

Howard read the article. In graphic detail, Trelford had described the brutal murder of hundreds of innocents by an army ordered by the government to harass the opposition. "The shit will hit the fan," Howard told Trelford, who had just arrived home from Harare. "This is Lonrho country."

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Rowland received a telephone call from Harare. The nature of the government's complaint was predictable, as was Rowland's response — an unconditional apology to Mugabe. The dispute was referred to the independent directors. The row festered in public. Supported by all his journalists, Trelford gained stature as the crusader for Press freedom.

To emphasise ultimate power, Rowland invited Robert Maxwell to breakfast at Claridges. Deliberately, their meeting was well publicised and Maxwell rose to Rowland's bait. "Tiny Rowland has told me," Maxwell intoned, "that we can do a deal if I am prepared to pay the right price."

"We had a good long chat," Rowland said as he later stood on the pavement outside the hotel beside the grinning Maxwell, "and Bob tells me that he is very keen to buy".

But neither his threats nor his ruses worked. The directors judged against Rowland. Powerless to dismiss Trelford, he seemed equally incapable of imposing his view of how Africa was to be reported. His only sanction was finance, and he announced: "Trelford and the men of the Observer are on their own now." Aware that the newspaper would be fatally incapacitated without Lonrho's money, Trelford moved swiftly to provide an alternative route for his employer.

The editor knew Terry Robinson, an Observer director, had urged his dismissal and had even presented Rowland with a replacement. By default, Trelford had remained, but to his embarrassment, he could only sue for peace through Robinson.

The two met in a dingy workmen's café. Over a tepid coffee, Trelford pleaded, "I'm sorry. It was a mistake. I'll resign if you want."

Robinson was delighted. But he was to be disappointed by Rowland's response. With Trelford relenting, Rowland concluded that there was no need to get rid of him; he had finally succeeded in "breaking the man in". Trelford had forsaken the fight and would now obey Rowland's instructions. — Daily Telegraph.

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Sowetan man gets Nieman fellowship

By Lulama Luti

Sowetan 21/5/93
(243)
SOWETAN day editor Barney Mthombothi has been awarded this year's prestigious Nieman Fellowship, Harvard University announced this week.

Mthombothi (41) will be joining 12 American and 12 other journalists from around the world for a full academic year at Harvard in Cambridge, Massachusetts, in the United States.

The Nieman Fellowships are among the most prestigious journalism awards in the world. Sowetan managing editor Joe Thloloe said "We are delighted that Barney has been given this fellowship. He deserves it. In the few months he's been with Sowetan, he has proved to be an outstanding journalist with a wide view of the world. This stint at Harvard should enrich him and the Sowetan even further."

Mthombothi becomes the third Nieman Fellow at Sowetan. The others are Thloloe and editor Aggrey Klaaste.

■ Day editor awarded prestigious fellowship:

An elated Mthombothi said he felt honoured to have been selected.

"It is a great honour for me, especially since one is being honoured by one's peers," he said. Mthombothi joined the Sowetan as day editor in February this year. He entered journalism in 1978 when he enrolled with the then South African Associated Newspapers as a cadet.

He worked for the defunct *Rand Daily Mail* and the *Eastern Province Herald*, *Sunday Express*, *Sunday Tribune* and *The Star*, where he was an assistant editor.

In 1985, he was awarded a Reuter Fellowship and spent a year at Oxford University studying various aspects of international relations. He also spent two years as producer with the BBC World Service in London.

Mthombothi returned to South Africa in April 1991 to join the *Argus Africa News Service* as a senior writer.

Key training for journalists

Star 22/5/93

240 243

A GROUP of 14 senior, mainly print journalists, has been chosen for a special broadcast training course to form a core of skilled people who would be available to work in key journalistic positions at a future independent SABC.

SABC Television News Production head Johan Pretorius reacted to the news this week, saying if COM was planning to replace existing SABC journalists with the 14 trainees, "I've got news for them. It will take more than eight weeks to train print journalists for television... and they will have to wait for vacancies to occur. That may take some time."

The eight-week training programme is funded by foreign money and was initiated by the Campaign for Open Media (COM).

The training includes a three-week stint at television stations in the UK and Canada.

The project is co-ordinated by

Local journalists are being trained in broadcasting to create a pool of skilled broadcasters available to the SABC, MANDY JEAN WOODS reports.

John Matisonn, also one of the 14 candidates. The others are South newspaper deputy editor Rafiq Rohan, Sunday Star journalist Peta Thornycroft, Transkei Broadcasting Corporation's Siphiso Magoda, CCV magazine editor Eric Nhlapo, CCV Newsliner's Xolani Mazibuko, SABC Sotho radio news head Ramatsoso Mokebe, former ANC Radio Freedom's Clarence Kwinana, freelance journalist David Niddrie, The Indicator newspaper editor Ameen Akhalwaya, Eastern Cape News Agency (Ecna) editor Frans Kruger, Sapa chief sub-editor Juliette Saunders, foreign correspon-

dent Sylvia Vollenhoven and Germany ZDF television producer Amina Frense.

Matisonn says the motivation for the training was that "there was not a big enough pool of trained broadcasters who understand the latest trends".

There were trained people in place at the SABC at the moment, he noted, but the problem was credibility.

"That solution requires more than just hiring one more black face. It requires a change in perception and reality. The journalists must be changed. We are drawing on SA's rich tradition of courageous journalists and exposing them to broadcasting."

He was at pains to point out that if the 14 journalists — "if that many" — go into the SABC and work alongside the between 500 and 600 journalists already employed there, they would have the effect of exposing one another to different ideas.

There is talk that international magnate Tony Rowland, the man who has just sold The Observer, a London Sunday newspaper, to The Guardian, is planning to start a new ANC-aligned newspaper in South Africa. The man earmarked to run it is Donald Trelford, the retiring editor of The Observer. ALAN ROBINSON reports from London.

'Pixie' Trelford: The man for ANC-aligned paper?

(243) ARC 22/5/93

WHEN the London newspaper, The Observer, celebrated its 200th birthday in 1991, the newspaper invited its readers to update the legendary "Observer Man", a mythical character conceived in 1956 as a typical reader.

However, it being the Nineties and The Observer being The Observer, the request was for an "Observer Person".

And Observer readers came up with what might politely be termed a mixed bag — hairy types of both sexes, a middle-aged man with an arrogant expression and a horrible sweater, and a dressy public relations man who bore a distinct resemblance to editor Donald Trelford.

A natty dresser he may be, but publicity is not Trelford's forte. Especially not personal publicity.

A painstaking search of almost all newspaper and agency libraries here turned up only the odd paragraph or two about the man who has edited The Observer for the last 18 years.

Even his own newspaper could manage just a skeletal four paragraph biography, listing his curriculum vitae, his hobbies (cricket, snooker and chess) and his staunch defence of press freedom.

Briefly, he served as a pilot in the Royal Air Force for two years, graduated as a Master of Arts from Selwyn College, Cambridge, and began his journalistic career as a news and sports reporter in Sheffield and Coventry.

But the man they call Pixie because of his impish smile and diminutive stature

was already going places by the time he was sent to Africa by the Thompson Organisation to edit the Nyasaland Times (later the Times of Malawi). Trelford was just 25, but impressed Fleet Street with despatches in The Observer, The Times and on BBC Radio.

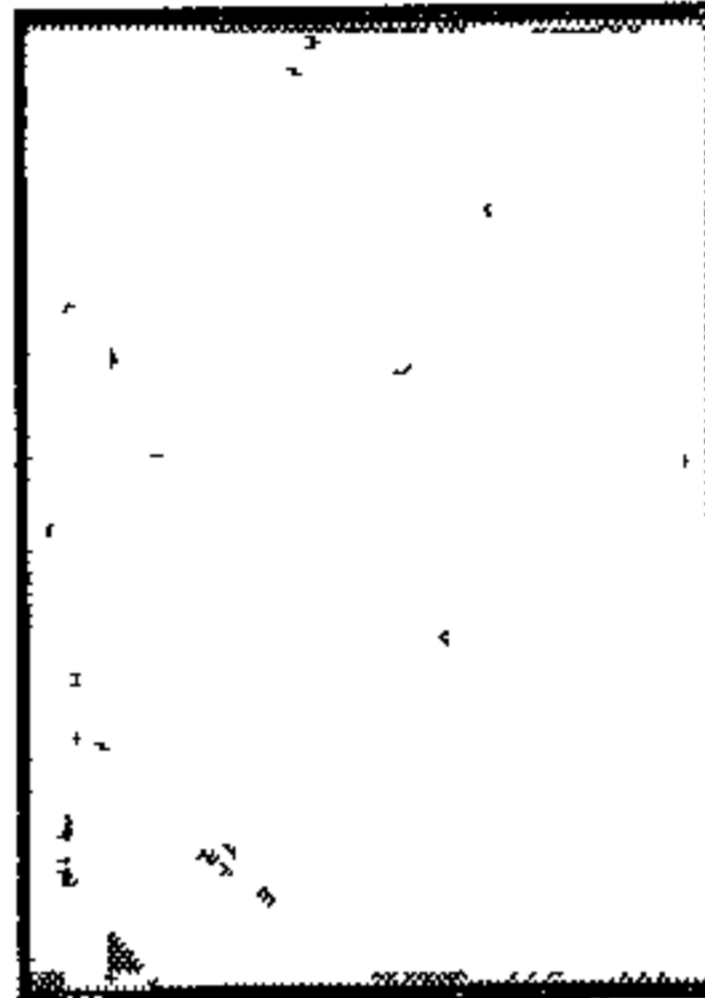
He also developed a deep interest in Africa — particularly Southern Africa — which he pursued throughout his career.

He joined The Observer as deputy news editor in 1966 and became editor in 1975.

His obsession with Africa will be rekindled if he does, as speculation suggests, take the job editing a basically ANC-supporting newspaper in South Africa once the money has been found and infrastructure established.

It will be a demanding assignment requiring expertise in negotiating legal and political minefields, dancing on the most fragile of eggs and, above all, finding a gap in what appears to be a closed market.

On the first two counts, Trelford should have no problems. He is known as a fast mover and a man who thinks on his feet. To last 17 almost unblemished years at



□ Donald Trelford

The Observer, the last 12 under the intrusive control of Lonrho chief Tiny Rowland, says much about his physical stamina and mental agility.

They had one almighty clash over Zimbabwe in 1984. Trelford wrote a number trenchant articles in The Observer condemning the infamous Matabeleland massacres and Mr Rowland didn't like it.

He had, and still has, extensive business interests in Zimbabwe (and other African countries) and he let Trelford know what he thought.

According to the Times, at one point, "to break the impasse in which Mr Rowland had threatened to close the paper, the editor offered his resignation. It was refused.

"Mr Rowland, shifting instantly from threats to emollient praise, made it up, and from that moment Mr Trelford was never quite his own man again."

Detractors claim that Trelford lacked the imagination and the ideas to drag The Observer into the white-heat of Britain's Sunday circulation war. Readers were being lost in their thousands to the rejuvenated Sunday Times and the thriving new Independent on Sunday.

The Times describes Trelford's greatest gifts as reacting calmly in a crisis and skilfully remaking a paper to accommodate a breaking story.

Whether he will take those skills to the insular South African newspaper scene remains to be seen.

Strong proposals effectively guarantee liberty of the individual

511 W 20 2815193
(243)

KEN OWEN has already risked his credibility on the extravagant claim that Chief Justice Corbett's judgment restraining a magazine from publishing private information obtained by illegal phone tapping ranks with the closure of The World as a blow to press freedom.

He now stakes his reputation on an incompetent reading of the Democratic Party's draft bill of rights.

Owen's first complaint is that the DP's bill of rights "puts forward a view of liberty which is parsimonious and grudging, hedged about with qualifications".

Remedies

But Owen cites no such qualifications and offers no evidence whatever of parsimony or grudgingness.

The truth is that the safeguards of liberty in the DP's bill are the strongest proposed by any party.

The DP's proposals would entrench freedom of con-

TONY LEON and ETIENNE MUREINIK take issue with Ken Owen's criticism of the Democratic Party's bill of rights

science, religion, assembly, association, speech, press and thought; freedom from unreasonable searches and seizures, from cruel, inhuman or degrading treatment.

Unlike the ANC's and the government's draft bills, the DP's would fully protect academic freedom and freedom of information.

Alone among the rival bills, it requires state-controlled media to ensure diversity of opinion.

The bill's remedies against maladministration — which go far beyond any previously on the negotiating table — and its comprehensive rights of fair trial would secure individual liberty far more effectively than all Owen's hot rhetoric.

Indeed, over half the bill gives the citizen concrete remedies and safeguards

against the state. None of this, of course, is conclusive proof of the strength of the protection given by the DP's bill to liberty. The real test is the limitation clause.

Learning from international ally-respected charters of rights, all parties recognise that at least some rights have to be capable of limitation. The right of free speech, for instance, would, if left unlimited, annul legal protection against defamation, an indispensable safeguard for human dignity.

But the narrower the clause which permits limitation, the stronger the rights in the bill. The DP's limitation clause is the narrowest of those being proposed.

It requires any limitation to be "demonstrably necessary in a free, open and

democratic society", and to comply with South Africa's international law obligations — constraints far stricter than in the much-admired Canadian equivalent.

Luxuries

What is more, most of the rights in the DP's bill are made absolute and inimitable.

All of which makes Owen's objection on the score of liberty just plain silly.

Owen's second gripe is about equality. What excites most of his venom is that the bill permits what might otherwise be outlawed as discrimination if it is part of a rational programme intended to remedy substantial inequality.

It is, no doubt, this feature which inspired Owen's verdict that the bill "sets out not primarily to secure liberty, but to undo the injustices of apartheid. It is a plan to win the last war".

The truth, as anyone in

touch with reality knows, is that the war against apartheid is far from won — and to win it, we need to aspire to both liberty and equality.

We cannot possibly hope for equality until we begin to undo inequality. Until then, the liberties we prize so much will remain luxuries to be enjoyed by the privileged.

This is something the entire political mainstream recognises, including the government, whose bill explicitly permits affirmative action.

Owen's opposition to this kind of permission — and it is permission, not compulsion — puts him to the right of the government, among the pre-De Klerk reactionaries who think that justice means freezing the huge disparities in opportunity

wrought by decades of racial domination into immutable law.

Owen's final sally is against the entitlements in the bill to the essentials of life: to the food and water necessary for survival, to shelter from the elements, to basic health care, to a basic education and to a clean and healthy environment.

Guardian

Here Owen's complaint is that the bill gives generous powers to the courts. Again, the problem is the casualness of Owen's reading.

The provision immediately after the one which Owen cites makes it plain that it is the prerogative of the lawmakers and the executive to decide how to deliver these entitlements.

The courts come into the picture only when they review the actions of those organs of government to ensure their reasonableness.

This widely-acclaimed provision gives the courts the role merely of guardian against government neglect and abuse.

The problem — whether is when Owen offers hysterical censure of a perfectly reasonable judgment of highly respected chief justice or when he fulminates about the DP's bill — is that he simply does not seem to take the trouble to read before he rants.

● Tony Leon, MP, chair of the DP's bill of rights committee Etienne Mureinik Professor of Law at Wits University, served as a consultant to the committee

A fresh view of Chris Hani

Sowetan 24/5/93
Militant also championed feminist movement: (243)

By Sizakele Kooma

WE have heard of Chris Hani the MK commander, the Latin master and peace-maker.

The latest issue of *Speak* magazine tells us about Chris Hani the feminist.

The heart-warming story, as told by colleague and friend Thenjiwe Mthintso of the SACP, again opens our eyes to the nature and character of the man who was branded a militant.

Among the things Mthintso says in the article is that Hani was one of the very few leaders in the ANC, SACP and MK who actively fought against women's oppression; he was a member of the SACP's gender committee, which he insisted should not consist of women only, and he also shared chores with his wife and children at home.

Other informative stories in the issue include the contributions of the women of Eritrea, East Africa, in a war that defeated the Mengistu Haile Mariam regime of Ethiopia and the plight of women and children caught in the cross-fire in a brutal war in the Natal Midlands.

Are stokvels meant to bring together women for gossip and fun? No, say members of these groups in another story. They have managed to pay off their hire purchase debts and bury their dead through the financial assistance of others in the group.

Planning on leaving that oppressive,



Chris Hani

Hani was one of the few leaders in the ANC who actively fought against women's oppression

lying, cheating man you married? Helpful information on how you should go about it is also part of the June package of *Speak* magazine.

Vrye Weekblad alters its focus and format

(243)
MARCIA KLEIN

VRYE Weekblad will appear as a newspaper for the last time on Friday.

The paper has announced that it will change to a fortnightly full colour news magazine, with its first publication date being June 25.

It also plans to "lighten up" its approach. Vrye Weekblad said political changes had brought the end of an era as far as its role as a newspaper "and an agent for change" was concerned.

It was launched in November 1988 with a "confrontationist, irreverent style in an effort to loosen up Afrikaner thinking, pressure the Afrikaner establishment, and the National Party government, and slaughter every available cow".

This led to dozens of criminal cases and several expensive defamation suits against it.

It had now to redefine its product and its role in society. The new magazine would be moulded along the lines of Paris Match and Vrij Nederland.

Although it would like to publish a weekly magazine, Vrye Weekblad said it could not afford to.

It had approached Die Suid-Afrikaan and Nasionale Pers with a proposal to cooperate or amalgamate, but both publishers declined the offer.

It would continue to publish in Afrikaans because the English-language market was overtraded and there was a need for an independent, progressive, quality Afrikaans publication.

However, the Afrikaans market was not very big. There was the potential for between 20 000 and 30 000 buyers.

Its current target market was Afrikaans-speaking people aged 25 to 50, A/B income with tertiary education, mostly urban, and especially Pretoria-based. The same market would be targeted by the new publication.

Research showed its target market remained conservative, worried mainly about crime, child abuse and the economy, and preferred comedies and adventure on TV. They liked reading about sport and interesting people and bought magazines with which they could relax.

This meant Vrye Weekblad would have to lighten up and "have more fun than is the tradition with alternative newspapers".

Apart from important political stories, the new format would include "people pieces" and investigative journalism. There would be a focus on international news and sport, and a lot of humour.

Hansard

from time to time, and it has always been our policy to pay very serious attention to them. I shall do the same in this case.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament

Archives: treatment of secret documents

*6 Mr R M BURROWS asked the Minister of National Education

In terms of what statutory and/or other provisions are documents classified as secret treated differently by the archives from documents not so classified? *(213)* B840E

The MINISTER OF NATIONAL EDUCATION

Documents of a sensitive nature which require secrecy are dealt with in terms of the provisions of the Protection of Information Act 1982 (Act No 84 of 1982), they are also not archives as contemplated in section 1 of the Archives Act, 1962 (Act No 6 of 1962)

CCB/MI/other security services: destruction of documents

*7 Mr R M BURROWS asked the Minister of Defence: †

(1) Whether any steps have been taken or are being contemplated to prevent documents relating to the Civil Co-operation Bureau, Military Intelligence and other security services from being destroyed; if not, why not; if so, what steps;

(2) whether any such documents have been or are to be destroyed, if not, why not; if so, (a) why and (b) in respect of what date is this information furnished? B841E

The MINISTER OF DEFENCE:

(1) and (2) Yes. As far as documents are concerned which were under the control of the Directorate of Covert Collection of the Military Intelligence Division, the Chief of the SA Defence Force issued an instruction after the appointment of Lt Gen Steyn that no documents and/or electronic data may be

Hansard

destroyed without the prior permission of Lt Gen Steyn

As far as the documents of the Civil Co-operation Bureau are concerned a previous Minister of Defence issued an instruction on 2 April 1992 that the documents which were available and under the control of the SA Defence Force at that stage may not be destroyed

Slagboom: accident involving school cadets

*8 Mr A E DE WET asked the Minister of Law and Order:

(1) Whether any sworn statements were taken in connection with an accident which occurred at Slagboom on or about 18 March 1993 and in which a number of pupils were killed and injured; if not, why not, if so, (a) from whom and (b) on what date;

(2) whether the police investigation into the accident has been completed, if so, when, if not, when is it expected to be completed;

(3) whether the South African Police have been furnished with all the South African Defence Force regulations pertaining to the use of Defence Force vehicles for the transportation of passengers, if not, why not;

(4) whether he will make a statement on the matter? B844E

The MINISTER OF LAW AND ORDER

(1) Yes	(a)	DR Wait	(b)	18 March 1993
		AB Kock		8 April 1993
		JK Lovemore		8 April 1993
		CW Bezuidenhout		8 April 1993
		GH Hansen		4 May 1993
		PH Summerton		4 May 1993
		W van Onselen		4 May 1993
		D Vermaak		4 May 1993
		A Aristotelous		4 May 1993
		D Waters		4 May 1993
		G Goosen		4 May 1993

Hansard

J Storm	4 May 1993
L Steele	4 May 1993
T van der Merwe	4 May 1993
U Gerber	4 May 1993
J P Hunke	4 May 1993
G P Francis	4 May 1993
B St Clair Warwick	4 May 1993
W P Miller	4 May 1993
D J Connely	4 May 1993

(2) No

As soon as all the post mortem reports have been received

(3) Yes.

(4) No.

*9 Mr J H MOMBORG — Foreign Affairs †
[Question standing over.]

Samul vehicles: transportation of passengers/equipment/ammunition

*10 Mr D H M GIBSON asked the Minister of Defence:

(1) Whether equipment, live ammunition and/or other baggage may be conveyed in the passenger compartments of Samul vehicles while such vehicles are carrying passengers, if so, (a) in terms of what regulations and (b) what type of equipment, ammunition and/or baggage may be so conveyed;

(2) whether any provision is made for such equipment, ammunition and/or other baggage to be stowed and secured so as to ensure the safety of passengers and the stability and safety of the vehicle concerned; if not, why not; if so, (a) what provision and (b) who is responsible for ensuring that the regulations and provisions in this regard are complied with;

(3) whether he will make a statement on the matter? B848E

The MINISTER OF DEFENCE:

(1) Yes

(a) In terms of the Ammunition and Explosives Regulations (RSA) Volume 1, Pamphlet 13, Chapter 2,

paragraph 7 and Army Training Instruction 1/89, Chapter 7-4, paragraph 14 d

(b) Apart from explosives which have to be conveyed separately, equipment, live ammunition and/or baggage may be conveyed together with passengers if training requirements necessitate this, but then a non-commissioned officer or a person of higher rank must travel on the same vehicle

(2) (a) Yes. All equipment has to be properly secured or stacked in containers

(b) The driver and/or the non-commissioned officer who have been appointed to travel on the vehicle

(3) No

Samul vehicles: accidents

*11. Lt-Gen R H D ROGERS asked the Minister of Defence

(1) Whether during the latest specified five calendar years for which information is available any Samul vehicles were involved in accidents in which they overturned or rolled, if so, how many of these vehicles were found to have exceeded the recommended maximum speed for the specific road surface on which they were travelling at the time of the accident;

(2) whether any persons were killed or injured in these accidents; if so, how many? B852E

The MINISTER OF DEFENCE

(1) Yes, during the past five years 77 Samul vehicles were involved in accidents in which they overturned or rolled. In 21 cases it was found that the recommended speed had been exceeded. Two accidents are still under investigation

(2) Yes, died—38, injured—147

*12 Mr D S PIENAAR — Home Affairs †
[Question standing over.]

Star 27/1/83

Ruling reserved on naming of scandal informants

243

HARARE — A Harare High Court judge reserved judgment indefinitely yesterday on whether a former Zimbabwean newspaper editor, whose reports exposed high level government corruption, should be forced to name the people who gave him information or go to jail.

Geoff Nyarota (42), renowned for his determined crusade in Bulawayo's daily newspaper, The Chronicle, on the 1988 "Willowgate scandal" which told readers how Cabinet Ministers, MPs and top civil servants profited from a vehicle trading racket — is being sued with his then-employer, Zimbabwe Newspapers, by Foreign Affairs Minister Nathan Shamuyarira for libel.

As a result of The Chronicle's

exposure, a judicial commission was set up

It corroborated most of the paper's reports

Several of the ruling Zanu (PF) party's most influential figures resigned in shame, and one committed suicide

In the High Court before Mr Justice Dennis Robinson, Nyarota refused again yesterday to name the people who had provided him with the names of government officials who were being allocated cars from the state-owned Willowvale Motor Industries plant and then selling them to the vehicle-starved Zimbabwean public for enormous profits.

Mr Justice Robinson postponed the case which is expected to resume in August. — Sapa.

Bill seeks to ensure equal media coverage

By Esther Waugh

Star 28/5/93
243

A summary of an "early draft" of an Independent Media Commission Bill is to be presented to the Negotiating Council for discussion today.

In terms of the Bill, a seven-member independent media commission is to be appointed. It would ensure equal treatment of political groups by broadcasting companies and make sure that state-financed publications were not used to the advantage of any group.

The Bill contains provisions on political broadcasts and political advertisements. No details of the provisions are contained in the report to the Nego-

ating Council. The report says that the PAC had submitted that the technical committee "ought to address the question of the levelling of the playing fields" before elections.

The report added: "The committee is of the view that it would be inappropriate to try to regulate the print media in the transitional period, since this would constitute an unwarranted infringement of freedom of expression."

"The reason why broadcast is treated differently is that the frequency spectrum is public property."



The habits of free men have atrophied in SA

SI Times 28/5/93

A FEW weeks ago I ventured some gentle criticism of the English press, raising the question whether, having become profitable, the major publishing companies were investing enough resources in the social and political functions of the newspaper

The result has been an extraordinary flood of abuse from that rather shabby rightwing tabloid, the Citizen, to which I gave the credit of being the closest thing to a newspaper of record in South Africa, and from the Johannesburg Star, which, I suggested, had once been a newspaper of record

The editor of the Citizen, a skilled craftsman, pounced on the issue with transparent delight, using it as a pretext to do some boasting about his newspaper; he is an old pro, entitled to a grudging respect. I salute him

Max du Preez of Vryeweekblad, a truly unfettered spirit, agreed with me, but indulged in some gleeful Afrikaner chauvinism at the spectacle of English newspapers disagreeing, which is a rare thing for their politically oh-so-correct editors to do. His glee said something of the simmering resentment with which Afrikaner elites view the English Press

From the Star, however, came the most piteous wails of outrage, accompanied by puppyish yelping from its promising young columnist, Shaun Johnson. The newspaper did not argue that the Star was still a newspaper of record — how could it? — but resorted to simple (and factually inaccurate) invective

None of this, I imagine, matters much to the general public, but it does reinforce my view that the English press, taken as a whole, is sick. At a crucial time in our history, it has chosen to go down-market in search of profit, to become frothier, and it no longer does an adequate job of informing the public. Its vanity and self-centredness is comical

To this, both the Citizen's editor and the Star's anonymous columnist, Hector Sauer, have retorted that the Sunday Times is the country's frothiest and most profitable newspaper. That is no longer true; the frothiest newspaper is the Sunday Star, and the Sunday Times

has in fact become rather less frothy than it used to be. But I do not exempt my own newspaper from the general charge that, at a time of destiny, the newspapers dish up too much rubbish

Having edited the Sunday Express (which was destroyed in the end by a financial raid carried out with profits derived largely from the Star), Business Day (which is now the country's most consistently credible newspaper, though narrowly focused), and the Sunday Times, I can claim to understand some of the difficulties. (243)

For one thing, public taste has been so debased by the newspapers themselves that a newspaper which tries to deal seriously with serious matters runs a risk of losing readers who are accustomed to escapist froth. For another, the society as a whole is hostile to free speech and open debate.

Worse, the newspapers themselves abhor debate which is not, in their anxiety-ridden view, politically correct. To criticise Dr van Zyl Slabbert when he betrayed his party (as both Mr Harry Oppenheimer and I did at the time), or to denounce fascist tendencies on the university campuses, or to dispute with judges over matters of free speech, is to invite notoriety, not on the merits of the argument, but because the English newspapers do not attack holy cows

MENTION Mr Oppenheimer in this context because, for all the fuss about my criticism of Dr Slabbert, nobody in the close-huddled, timid, conformist ranks of the profession has found the courage to rail at Mr Oppenheimer for doing the same thing. He is deemed not to be a safe target. If our newspapers are liberal, they are, by and large, the wettest liberals on earth

Especially, the newspapers do not attack their favourite holy cow, which is themselves. The accusation by Benjamin Pogrund, deputy editor of the Rand Daily Mail, that his newspaper lacked balance and that its reporting was one-sided has been a well-guarded secret for more than a decade. And because the charge of lack of balance has never been honestly examined, it persists.

I do not suffer pangs of guilt over the demonisation of Chris Hani by the news media. For many years, he demonised himself, adopting the role of the ferocious revolutionary warrior. But it is nevertheless true that the shifts in his position were not sufficiently well recorded, analysed and debated to change public perceptions when he shifted from war to peace

Neophytes in the profession think it an adequate defence to produce a handful of pitiful cuttings to show how sympathetically Hani was portrayed on this or that occasion, but the problems of perspective and balance go much deeper, to the relationship between readers and newspapers, to questions of trust and credibility

AND behind these questions, of course, lie even more difficult questions of resources, of the balance between public service and profit, of control and independence, of public support and of corporate structures. These questions surface occasionally in the board rooms; in the newspapers, almost never

Not that I think South Africa's English newspapers, which claim to be more or less liberal (though they did not make that claim when Nadine Gordimer was boasting that on Wits campus, liberals were as rare as dodos), are uniquely at fault

The conviction has been growing in my mind for some time that, as the old, classical liberals like Phyllis Lewsen and Alan Paton and Peter Brown and Ellen Hellman fade from prominence, liberal ideas themselves are falling into disuse in all institutions — parliament, courts, Press, political parties, and universities

Belief in free and open discourse, in the ultimate social value of exposing problems to searching public inquiry, has faltered in this country. Just as the skills of the market have, through atrophy, been lost to Russia, so the attributes of free people, the habits of free men, have been lost to us

KEN OWEN

Star 2815193

Union moots ban over article

Staff Reporter

213
The Soweto branch of the South African Democratic Teachers' Union (Sadtu) has threatened to bar The Star from its meetings and activities following an article published in the newspaper this week about division among its members over the indiscriminate use of strikes to back demands.

Sadtu local spokesman Solly Mautjana said yesterday members took "strong

exception" to the report reflecting a crisis within its ranks and would decide at a meeting today whether or not to "ban" the newspaper.

Tuesday, The Star reported there was a schism in the Soweto branch and that senior executive members of the local committee had refused to sanction some of the recent campaigns, including a chalk-down and sit-ins.

Six senior executive members of the branch de facto resigned their positions when

they refused to stand for reelection at the annual meeting held at the weekend.

The six top officials are vice-chairman Madoda Madi, general-secretary Vell Mnyandu, education officer Mxolisi Nkosi, publicity secretary Oupa Mpetha, treasurer Palesa Popi and sports officer Bhabha Memani.

Mautjana accused The Star of sowing division in the Sadtu ranks and demanded an apology or else the union would "take action".

Star 28/5/93

British Press Award for Star columnist

Staff Reporter

Winning international awards is nothing new to The Star columnist Allister Sparks, although he admits this year's British Press Award (BPA) is a cherished feather in his cap.

He was one of 10 people to win one of the BPA categories earlier this month. He won the David Blundy Award for foreign stringers for his articles on South Africa which appeared in

~~Star~~ The Observer newspaper.

During his 42 years as a writer, Sparks has won top-ranking international awards for his contributions to journalism. His most coveted is the joint-International Editor of the Year award which he won in 1979 for the Rand Daily Mail's exposés of the Info Scandal.

Asked how it felt to win the BPA award, he said: "Nice. It was very satisfying to win it."

The awards are the major British press awards for the year."

While he believes South African press journalism has a lot going for it, he reckons standards have declined since the demise of the Mail.

Sparks contributes articles to newspapers worldwide, including his weekly column in The Star, and is also director of the Institute for the Advancement of Journalism.

w/maily 28/5-3/6/93

Sparks wins top award

(243) (1993)

Weekly Mail Reporter
A SOUTH AFRICAN
journalist, Allister Sparks,
has won the David Blundy
Award — one of the top
honours in the British
Press Awards.

Sparks, the former edi-
tor of the *Rand Daily Mail*,
took the honour for his
work as correspondent of
the *Observer* newspaper.

The award is named
after a famous foreign cor-
respondent who was shot
dead in El Salvador in
1989. It is for foreign free-
lance journalism.

The Weekly Mail's sis-
ter newspaper in the Unit-
ed Kingdom, *The*
Guardian, once again
swept the main awards
including Journalist of the
Year, Reporter of The
Year and International
Reporter of the Year.

Third-world journalism course

South 29/5 - 2/6/93

means

business

REUTERS, the world's leading financial news agency, ran its first business journalism course in South Africa last week.

Designed to upgrade journalism in emergent third-world countries, the course is one of a series of travelling workshops run by Reuters instructors worldwide.

The 12 participants at the Johannesburg workshop consisted of nine South African journalists, the rest coming from Zambia, Swaziland and Botswana.

The week-long course focused on practical instructions, to help journalists cover political and economic change in their societies.

Exercises included a simulated news event over three days.

Participants were divided into various news agencies and competed to get the stories out to the world.

The course was run by two experienced former journalists, Mr David Betts and Mr Colin McKinnon.

Betts was Reuters World Desk editor, chief representative for the Middle East countries, manager for Norway and a training editor.

McKinnon is a former chief sub-editor on the Money Desk in London.

The Reuter Foundation also aids journalism in developing nations by providing fully funded scholarships at Oxford University, England, Stanford University in California, Bordeaux in France and at the University of Missouri's School of Journalism.

WAGHIED MISBACH

Journalists eye their own paper

JOURNALISTS in South Africa have been urged to consider buying a stake in one of the country's newspaper groups

South African Union of Journalists president Dirk Hartford said journalists should try raising about R160 million to buy the Argus company's 37 per cent stake in Times Media.

Mr Hartford told the SAUJ national congress in Cape Town yesterday that the Argus had made it known it planned to relinquish its share in TML, publisher of the Sunday Times, Business Day, the Cape Times and other newspapers.

"Various foreigners such as

Canadian media tycoon Conrad Black have come sniffing around looking at possibly buying the Argus share," he said.

"But journalists themselves should think about raising the money. It is not an impossible dream for us to find the R160 million needed instead of waiting for some big money power to come in"

The SAUJ should initiate talks on funding a possible share purchase with organisations inside South Africa and elsewhere.

These could include pension and provident funds — Sapa.

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Vrye Weekblad to relaunch

Star 29/5/93

243

VRYE Weekblad newspaper is to cease publication this week and will relaunch on June 25 as a full-colour actuality magazine in a last ditch effort to become a commercially viable publication.

Since its launch in 1988 the alternative newspaper, published in Afrikaans, has been struggling, getting its funding mainly from European Community (EC) sources.

Two years ago the EC stopped funding to South African newspapers. However, after a desperate plea, the EC agreed to give R5 million to Vrye Weekblad and New Nation as a final amount.

The money will be channelled to the publications through the Independent Media Trust.

"We have just enough money to keep us going for 18 months and

MANDY JEAN WOODS

by then we have to be an independently viable operation Vrye Weekblad as a newspaper would not have survived, so we had to look at different options," editor Max du Preez says.

"With the magazine format, we will become less political and go for a more general readership," he noted. With the change in the South African political scene, the *raison d'etre* for the newspaper had ended. "It is the end of an era of politics and we see it as the end of an era as far as our role as a newspaper and an agent for change," Du Preez says.

The new fortnightly magazine will still be called Vrye Weekblad and will be the same A4 size of other actuality news magazines like Time and Newsweek.

"We approached Die Duid-Afrikaan Nasionale Pers with a pro-

posal to co-operate and even amalgamate, but both publishers, rather surprisingly, turned us down," he says.

Average sales for the newspaper have hovered at around 10 000 copies per issue, but the anticipated sales for the magazine is between 20 000 and 25 000 copies.

"We are as convinced as we were in 1988 that we have an important role to play in our society and in the media market in South Africa in 1993 and beyond, especially because we publish in Afrikaans," Du Preez says.

"We do not have an open, tolerant and fair society yet. We are still a divided, polarised society. In a sense the easy part of the struggle is over. From now on it is going to be more subtle and less clear-cut. This time round we can spend our energy on quality journalism, credible, balanced and incisive reporting and building rather than breaking down," he says.

Charge-or-release call by journalists

ARG 29/5/93

(243)

THE SA Union of Journalists has called for the immediate charge or release of the Media Workers' Association of South Africa general secretary S'thembele Khala, arrested in a swoop on senior Pan Africanist Congress members

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PRESS - 1993

NATIONAL

Union⁽²⁴³⁾ to focus on Press freedom

ARG 11/6/93
Staff Reporter

THE SA Union of Journalists resolved, at its annual congress in Cape Town, to focus on Press freedom and safety of journalists.

The SAUJ, the largest union representing journalists in the country, is to set up permanent structures with the main political parties to discuss the continued attacks on journalists in the field.

There has been a spate of attacks on journalists in the townships, which culminated in the death of SABC cameraman Calvin Thusago in Sebokeng.

The union also undertook to launch a major educational campaign on issues surrounding the safety of working journalists in co-operation with the SABC and the print media.

In terms of the resolution the union will set up structures with political parties to address attacks on journalists by members of these organisations. The union demanded that national leaderships censure those involved.

ANC media spokesman Gill Marcus, an observer at the congress, said her organisation had trained Press marshals and was setting up regional Press bureaus to help the media.

Other key resolutions passed by the union include:

- To launch a campaign for a Freedom of Information Act to be embodied in a new constitution;
- To call on all members of the new SABC board to publicly commit themselves to freedom of the media in all its forms;
- To speed up federation talks with the Media Workers Association of South Africa and other unions in the industry

ANC on publishing Star 11/6/93 freedom ~~(11/6/93)~~

The African National Congress favours a wide-ranging publishing industry independent of government, according to ANC education chief John Samuels

Samuels was speaking last week at a conference to address "Publishing for Democratic Education". According to a statement yesterday from organisers Sached Trust, the conference was attended by 120 different educational and publishing organisations ~~(243)~~ ~~(11/6/93)~~

Samuels said freedom from government intervention would depend largely on "the extent to which publishers commit themselves visibly to the development of a local publishing industry"

"Published material should assist in a short-term transition and also lay the foundations for longer-term educational changes," Samuels said

The conference recommended that no "relationships of privilege" should exist between the State education ministry and publishers

Calls were made to the two representative publisher associations — Publishers Association of South Africa and Independent Publishers Association of South Africa — to draw up a code of conduct. The code should effectively prohibit "corrupt and nepotistic recommendations"

This is expected to be presented to the National Education and Training Negotiating Forum, which is being established. — Sapa

NATIONAL

Thokoza press coverage probe

The Argus
Correspondent

PRETORIA. — The Press Council is to investigate certain Press reports and their role in the incitement and perpetuation of violence.

This follows a request to the council by the Goldstone Commission after hearings last week into the ANC march of May 22 at Thokoza in which 13 people died.

The commission resolved to lay a formal complaint with the Press Council regarding the local Press coverage of the incident.

Registrar of the Press Council Ed Linington said today Goldstone Commission advocate Torie Pretorius had contacted him and gave him a copy of the commission's report into the Thokoza violence.

Mr Linington said he requested the commission to provide him with copies of the relevant Press reports.

When these are received they will be referred to the newspapers concerned.

If the matter cannot be resolved it will be brought before a council adjudicated by a panel with a chairman and equal number of representatives from the public and the Press.

Goldstone Commission advocate J J du Toit confirmed they had requested the Press Council to look into the matter of the media reports on the Thokoza violence.

The council was asked to report its findings to the commission as soon as possible.

Mr Du Toit said the commission would not be making any further investigations on the matter and left it in the hands of the Press Council.

Wednesday, June 2 1993

Violence: council to probe media role

Bus. day 2/6/93

ADRIAN HADLAND

PRETORIA — The Press Council has been requested by the Goldstone commission to investigate the role of the media in the incitement and perpetuation of violence.

Following hearings last week into the ill-fated Thokoza march of May 22, in which 13 people died, the commission resolved to lay a formal complaint with the Press Council concerning the local Press coverage of the incident.

Press Council registrar Ed Linington confirmed that a request for an investigation had been received from the Goldstone commission yesterday.

A commission spokesman referred to the first Goldstone investigation into violence at Thokoza, completed in November last year, in which the media was urged to be "conscious of the fact that they are the disseminators of information which is frequently the trigger for violence".

The media, along with political leaders, bore a heavy responsibility in this regard, the report said.

The publication of "false rumours" and unsubstantiated allegations had contributed to the deterioration of community relations and had led to further outbreaks of violence, the commission found.

The commission recommended that criminal sanction be imposed on those members of the media who were found to have deliberately engaged in publicising potentially harmful rumours.

It was believed by participants at the Thokoza hearing last week that the media had once again assumed a contributory function in the violence.

This was reflected in the last paragraph of the commission's recent Thokoza statement in which the council was "requested to investigate the reporting by the media in SA of the events which took place in Thokoza".

The council was asked to report its findings to the commission as soon as possible.

A recommendation on November 17 1992 that a Goldstone committee be created to look into the media and its impact on violence and intimidation had been ignored by the industry, a commission spokesman said.

"I am not aware of any submissions in this regard," he said.

Linington said specific complaints about incidents or articles needed to be passed on to the council for consideration.

If these fell within the ambit of the council, and possible breaches of its code of conduct existed, the matter would be taken up with the newspapers concerned, he said.

The Goldstone commission spokesman said further details, and copies of offending articles, would be submitted to the council as soon as possible.

"While the commission abhors the idea of censorship, the media must be conscious of its responsibilities," he said.

who were engaged primarily in producing that publication which served as the mouthpiece of the Administration and which tried to communicate to the public at large what the Administration and specifically the various departments in the Administration were doing [Interjections.]

Mr P NAIDOO You are wrong! It served as a photo-album for those members of the Ministers' Council as . [Interjections]

The MINISTER I chose my words carefully I said it intended to communicate I did not say that it succeeded [Interjections]

Quite a number of the staff members involved in the production of that publication have left the service of the Administration In spite of own affairs administrations being phased out, it was felt that there was a need for State departments to maintain communication services with the outside world

We know that own affairs will be scrapped by 31 March [Interjections]

Mr A RAJBANSI. On 19 September.

The MINISTER Perhaps that hon member knows better than I do and is more clued up on what is happening Be that as it may, the point is that there is a current need for our Administration to communicate more effectively with the society out there

If none of these applications meets the criteria, no appointments will be made. However, there is an established need for us to have a good public relations service, because we are a Government department and will continue to be a new constitution is adopted. I think even then our Department of Education and Culture, which is the largest of our departments, will continue to be a significant player in the province of Natal The Department does not have the staff at present to do the kind of communication work that is necessary

The DEPUTY CHAIRMAN OF COMMITTEES: Order! I shall allow one supplementary question with regard to this reply

Mr A RAJBANSI: Mr Chairman, further arising out of the hon the Minister's reply, in the light of the Cabinet's stubborn refusal to

warded to about 20 thousand subscribers in South Africa and abroad The cost involved in printing and publishing in the 1990-1991 financial year was R112 392 for the six issues during that period The publication appeared once in two months The printing and distribution of *Fiat Lux* was done in accordance with tender contract SDK-23. (243)

The purpose of the journal was to provide and disseminate information that will promote the best interest of the Administration House of Delegates and the services it has to offer and to help promote a positive image of the Administration The journal was also used to keep readers informed on policy decisions that affect their lives and also for general interest articles A survey undertaken in respect of *Fiat Lux* in 1986 showed that the 10 percent response indicated that the objectives had been achieved

Mr P NAIDOO. Mr Chairman, at a point of order When the Chairman of the House presides hon members are allowed more than one supplementary question Why is it that this afternoon the Chair has ruled that hon members will be allowed only one supplementary question when it comes to questions on own affairs? I should like to know whether there has been a change to the rules

The DEPUTY CHAIRMAN OF COMMITTEES Order! The answer to that is quite simple. There have been no changes to the rules It is merely that the time allowed for questions on own affairs had expired

For written reply

General Affairs

Various education departments: teacher/pupil ratio

34. Mr M RAJBAB asked the Minister of National Education

(a) What is the teacher/pupil ratio for (i) primary and (ii) secondary schools in the year-

ous education departments in the Republic and (b) in respect of what date is this information furnished? D259E

The MINISTER OF NATIONAL EDUCATION

(a) The Department of National Education does not have directly at its disposal the information to furnish the pupil CS educator ratios separately for primary and secondary public ordinary schools for the various education departments in the RSA, but only jointly as in the following table.

Education Department	Pupil-Educator Ratio*
All Education Departments	31,9
Education and Culture (House of Assembly)	18,2
Education and Culture (House of Delegates)	21,8
Education and Culture (House of Representatives)	22,2
Education and Training Self-Governing Territories	38,3
Gazankulu	41,6
KaNgwane	35,7
KwaZulu	36,7
KwaNdebele	50,0
Owaqwa	38,1
Lebowa	30,7
	36,9

* CS educators within the education control and auxiliary services programme (head office) are included

(b) The information is with respect to 1991.

Publication: printing/publishing/distribution

*5 Mr M RAJBAB asked the Minister of the Budget

Whether his Department has taken a decision to terminate the printing, publishing and distribution of a certain publication, the name of which has been furnished to the Minister's Department for the purpose of his reply; if not, what is the position in this regard, if so, what are the relevant details? D294E

The DEPUTY CHAIRMAN OF COMMITTEES Order! We now come to Question 5 The hon the Minister of the Budget will reply, after which I shall allow only one supplementary question.

The MINISTER OF THE BUDGET:

Yes Pursuant to a decision of the Ministers' Council in February 1991, the printing and publication of the journal known as *Fiat Lux* was discontinued after the last publication in December 1991.

Explanatory Notes:

Fiat Lux was published for 26 years and for-

Newspaperman *St Times 6/6/93* beats SADF

By CAS St LEGER

AN ex-newspaper owner who published a Military Intelligence-funded weekly has won the first round of his fight against the SADF.

On Friday the Pretoria Supreme Court set aside a judgment ordering Mr Abel James Rudman, of Moreleta Park, Pretoria, to pay the South African Defence Force R3,7-million.

Now Mr Rudman is claiming R10,5-million damages from the Minister of Defence and the SADF for losses he incurred after his Botswana-based newspaper ~~r~~ folded. (243)

Yesterday, Mr Rudman said he was seeking an early court date before the elections.

The date was expected to be set within the next fortnight, he said. (243)

He is claiming the amount plus interest for loss of business, loss of income, money still owing and damages following the closure of the SADF-funded newspaper, Newslink Africa, after the Inkathagate scandal in 1991.

Newslink Africa, known as "Project Grist", was referred to the Kahn commission appointed by President FW de Klerk in August 1991, the month the SADF ceased funding the newspaper. Mr Rudman claims he was left to pay the bills.

New technology at City Press

AN investment of about R16-million in new technology for the newspapers of Nasionale Pers was announced on Friday by the company's chief executive for newspapers, Hennie van Deventer

The new full-page make-up technology relates to increasing computerisation of newspaper production processes for both editorial content and advertising.

City Press, which is printed at *Beeld* in Johannesburg, will also be affected. The project will be phased in at *Beeld* and at *Die Burger* in Cape Town over the next 18 months. The company's other daily paper, *Die Volksblad* in Bloemfontein, will switch over to the new system at a later stage.

Van Deventer said full-page make-up had many strategic advantages. For example later dead-

lines for editions of the newspapers would lead to better newspapers and improved zoning of various editions

There would be unavoidable implications for personnel. Van Deventer said that it was too early at this stage to give full particulars. However, this matter would be handled with the greatest sensitivity in consultation with the trade unions concerned. Agreement had already been reached with the unions on the guidelines which would apply.

Some of the people who would be affected would be considered for other positions within the group. Retraining would also be provided.

The decision to switch to full-page make-up was the result of comprehensive investigations, also

conducted overseas, where a team of Nasionale Pers technologists visited various newspapers and noted the advantages of the new technology.

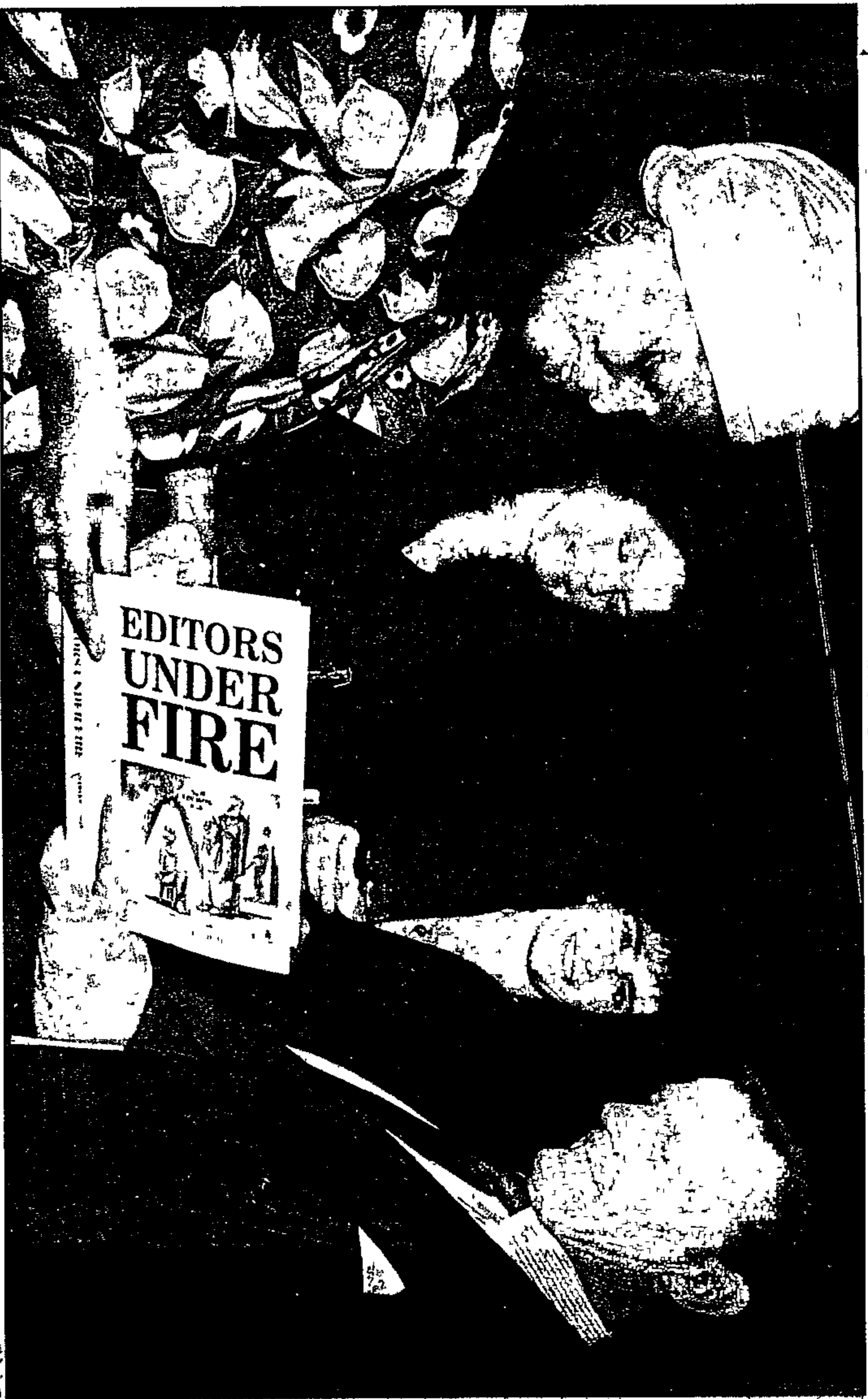
Full-page make-up has become the norm in western newspapers. Van Deventer said it was generally known that the other two big newspaper publishing groups in SA, the Argus Company and Times Media Ltd, were also moving in this direction.

He said the basic motivation for introducing the new technology was to increase the productivity and profitability of newspapers — thereby also their economic viability.

This investment in technology once again demonstrated the company's confidence in the future, he added.

CLP News 6/6/93

(243)



Man with a mission . . . Harvey Tyson, former editor-in-chief of The Star, with Nomusa Shongwe from Campus Bookshop at the launch of his book yesterday. Looking on are his wife Arlene and Jo-Anne Richards, who edited the book.

Picture: Alf Kumalo

By Abdul Mlazi

South Africa would never have a free press unless a large section of the population understood how freedom works. The Star's former editor-in-chief, Harvey Tyson, said last night at the launch of his first book, *Editors Under Fire*.

Speaking at the University of the Witwatersrand in Johannesburg, Tyson said the

Press freedom 'still under fire'

nationalistic and violently anti-democratic passions which had led to censorship and attempts to kill South Africa's independent press from 1950 to 1990 were rising again in different forms. This, he said, prompted him to write *Editors Under Fire*, which reflects 40 years of history as recorded by

South African newspapers. The book is a behind-the-scenes story which answers questions concerning the press, its place in society and who should own it. It also reflects on how some newspapers fought against apartheid.

The Times of London and The Scotsman of Edinburgh. He was editor-in-chief of The Star for 16 years. An active campaigner for freedom of speech, Tyson has addressed various international conferences on the subject. He organised an international conference in South Africa on "Conflict and the Press" in 1987 during the oppressive P W Botha reign.

Tyson said: "Although the book is about the past, it is aimed directly and intensely at the future. It is a tale of a long battle not yet won." To achieve freedom of speech, the press should educate the public about what it stood for.

In his 40-year journalistic career, Tyson worked on nine newspapers — including five South African dailies,

Star 2/6/93

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Weekly Mail co-editor Anton Harber at the Johannesburg Magistrate's Court. Picture: ROBERT BOTHA

Weekly Mail editor pleads not guilty

SUSAN RUSSELL

WEEKLY MAIL co-editor Anton Harber and Krugersdorp private detective Jan Kleynhans pleaded not guilty yesterday in the Johannesburg Magistrate's Court to charges arising from the bugging of former CCB operative Staal Burger's office.

Harber pleaded not guilty in his personal capacity and on behalf of Weekly Mail publishers M & G Media to charges of crimen injuria and malicious damage to property. No outline of his defence was submitted.

Kleynhans, who is representing himself, also pleaded not guilty to both charges. He told the court he had not had the necessary intent to commit an offence.

The Weekly Mail allegedly hired a private detective last year to keep the former Brixton murder and robbery chief and CCB region 6 co-ordinator, Burger, under surveillance.

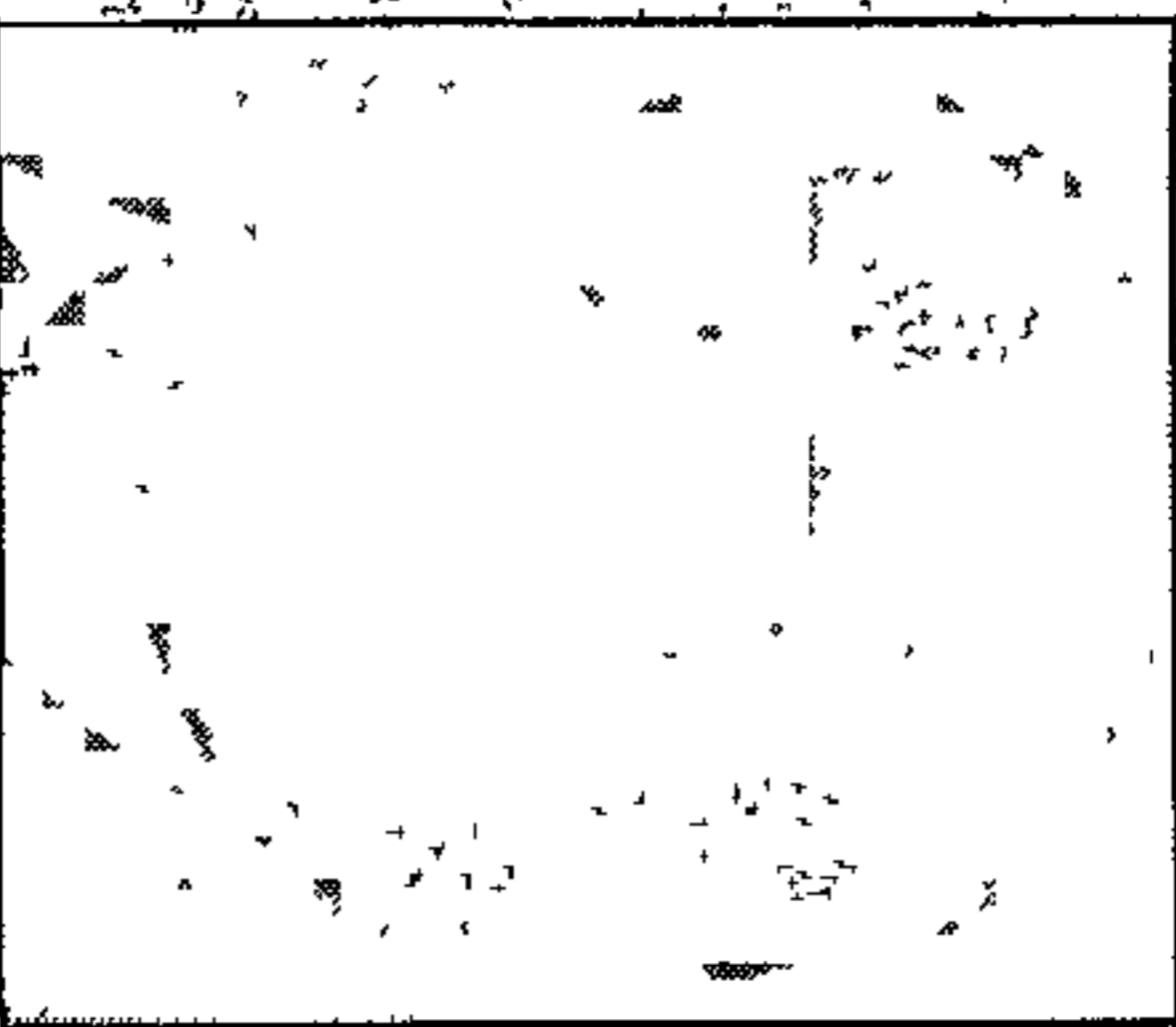
Members of the Brixton murder and robbery unit had found Kleynhans and three other men with a tape-recording device in a bedroom adjoining Burger's office at his Berea hotel, the Breakers, in August last year, magistrate F Roets heard yesterday. A hole had been bored into the skirting of Burger's office from the adjoining room.

Hotel handyman Jantjies Skosana told the court he had alerted Burger after finding the hole.

Burger is expected to testify today.

Bugging trial told of 'dirty tricks'

By Stan Hlophe



Staal Burger... called Brixton police colonel

The Civil Co-operation Bureau was involved in dirty tricks to undermine and eliminate those perceived to be enemies of the State, the Johannesburg Regional Court heard yesterday.

Defence counsel Eric Dane said this at the trial of Weekly Mail co-editor Anton Harber (33) and private investigator Jan Kleynhans (29), who are accused of bugging the office of former CCB operative Daniel Ferdinand "Staal" Burger.

They have pleaded not guilty before magistrate F Roets to charges of crimen injuria and malicious damage to property

Dane told the court that Burger was the leader of the CCB's Unit Six, whose activities included eliminating anti-apartheid activists or damaging their property. The unit's targets included Archbishop Desmond Tutu, lawyer Dullah Omar and journalist Gavin Evans.

"The CCB was involved in unlawful activities which were tantamount to terrorism, sabotage, murder, crimen injuria and malicious damage to property," he said.

Giving evidence earlier, Burger refused to say whether he was a Military Intelligence operative. He also refused to comment on CCB activities which, he said, took place at the

height of the "total onslaught" against South Africa, and were lawful before February 1990

Dane said his submissions on CCB projects were intended to show that the Weekly Mail's bugging of Burger's office at the Breakers Hotel in Berea, Johannesburg, was done in the public interest.

Burger said he had discovered he was being bugged when his handyman showed him a small hole in the skirting board on the wall of his office.

He phoned a Colonel C Earl of the Brixton Murder and Robbery Unit, who sent policemen to his office. They found four men, including Kleynhans, in an adjacent room.

ster 916kg
243
323
253

Burger's past off limits in bugging trial

A JOHANNESBURG magistrate yesterday refused to allow counsel acting for the Weekly Mail to question former CCB regional head Staal Burger on whether he still worked for Military Intelligence.

Defence counsel Eric Dane put the question during cross-examination about Burger's work for the covert SADF unit and MI.

The former Brixton murder and robbery unit commanding officer took the witness stand yesterday to testify against the Weekly Mail, co-editor Anton Harber and Krugersdorp private investigator Jan Kleynhans in a trial arising out of the alleged bugging of Burger's office in August last year.

Harber and Kleynhans have both pleaded not guilty to charges of malicious damage to property and crimen injuria.

Burger discovered that his conversations were being monitored after a handyman found a hole drilled between his office in a Berea, Johannesburg, hotel and an adjoining bedroom on August 31 last year. He told the court yesterday the Defence

□ To Page 2

Burger

Act precluded him from answering questions about whether he had worked for MI after the CCB was disbanded. Burger also indicated he was not prepared to say whether he still worked for MI.

Magistrate F Roets told Dane he would not allow the question, saying it was not relevant to the case.

Burger initially answered questions about his recruitment into the CCB, but when cross-examined further about its objectives and activities, refused to answer.

"It appears that I am now the accused in this case. I am not prepared to answer any further questions about the CCB," Burger said.

"This is a criminal case," Dane said.

"Yes, against your client," Burger

replied.

Dane put to him segments of the evidence given at the Harms commission by CCB member Slang van Zyl which implicated Burger and other operatives in various unlawful CCB projects carried out inside SA. Each of these was met with "no comment" from Burger.

Dane put it to Burger that the reason he was not prepared to answer questions about these projects was that he would implicate himself in such crimes as conspiracy to murder, sabotage, malicious damage to property and crimen injuria.

"No comment," Burger replied.

He agreed that if the CCB had not been disbanded, he would most likely still be a member of the organisation.

□ From Page 1

CSIR provides access to global information

THE CSIR's information connectivity to remote destinations via value added services launched its Worldnet Gateway service last month, providing electronic access to a global information network. Worldnet Gateway manager Ed Evans says the system provides direct links

The system uses an IBM RISC System/6000 from Computer Associated to provide access to many databases worldwide. The system provides direct links for experienced searchers, a menu mode for new or infrequent searchers, and a command mode for advanced searchers.

A range of connectivity options are provided, allowing high-speed access for a range of users. The system also allows X 25 communications and a wide spread of local and international databases.

'Bugging' trial is adjourned

27 SUSAN RUSSELL

THE trial of Weekly Mail co-editor Anton Harber and Krugersdorp private detective Jan Kleynhans, on charges relating to the bugging of former CCB operative Staal Burger's office, was adjourned until October 4 in the Johannesburg Magistrate's Court yesterday.

Harber has pleaded not guilty in his personal capacity and on behalf of the newspaper's publisher M & G Media Pty Ltd, to charges of malicious damage to property and crimen injuria.

Kleynhans also pleaded not guilty to both charges.

CAXTON vs ARGUS
FM 11/6/93
Newspaper war

The fall-out continues from last month's Rand Supreme Court judgment against Caxton that gave Johannesburg's *The Star* the right to resume distributing its local-

FM 11/6/93

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news sections inserted into different editions

Caxton has dropped Doug Band, MD of Argus Holdings and chairman of Argus Newspapers, as its chairman and is appealing against the judgment



Band

Argus, which owns *The Star*, also owns almost half of Caxton. "I won't say he was asked to resign because we won," says Argus company secretary John Sturgeon, "though from the timing, that appears to be the case. He resigned of his own volition because of the clash of interests"

Band, who occupied the chair at Caxton for three years and is now overseas, remains a board member. The new chairman is Edwin Jankelowitz, MD of CTP Holdings, which is affiliated to Caxton.

The action went to court in April after Johannesburg-based Caxton, masters of the free knock-and-drop local weekly newspapers, and its directors, Terry Moolman, Noel Coburn and Meredith Short, asked for an order restraining Argus from publishing what Caxton claimed were similar local papers.

Caxton alleged that *The Star's Focus* inserts were a breach of the restraint agree-

ment concluded between the two companies in 1980 and again in 1985, when Argus acquired 47% of Caxton.

Dismissing the application with costs last month, Judge Ezra Goldstein said the publications were clearly not separate newspapers and not free because it was necessary to buy a copy of *The Star* to get one.

He also rejected the company's contention that the publications breached the restraint agreement because they were local newspapers, as opposed to regional newspapers: the terms "local newspapers" and "regional newspapers" were relative, and had been left undefined in the agreements. ■

Pretoria Correspondent

Piet Skiet, Rudolph's alleged assault on The Citizen's Pretoria bureau chief appeared to have been planned, a Pretoria District Court heard yesterday.

Piet 'Skiet' assault on journalist 'planned'

Steer 11/6/1932

her husband on the jaw. She said Rudolph and another man came to the newspaper bureau office on April 22 because Rudolph wanted to speak to her husband about a report on the newspaper's front page that Fred had just started speaking

ing when suddenly Mr Rudolph hit him on the jaw. Fred stumbled back and Mr Rudolph moved forward, hitting him again on the nose. When her husband started defending himself, she tried to pull the two apart. Rudolph smashed a coffee table and tried to hit her husband with a piece of it. She was hit on the wrist, she said.

Rudolph picked up another chair but the man who accompanied him intervened. They left after Rudolph had called a Perskor clerk a "bitch". Rudolph has pleaded not guilty to charges of assault, ma-

icious damage to property and crimes injuria. The apparent cause of the alleged assault was a report on April 22 which claimed former Conservative Party MP Clive Derby-Lewis had been arrested in connection with Chris Haniff's murder on the strength of a statement by Rudolph

In his evidence, Fred de Lange said when a source told him about the allegation that Rudolph had made a statement to police, he contacted Rudolph, who denied the claim. He later confirmed with a senior CP source that there was a belief that Derby-Lewis had been arrested on the strength of a statement made by Rudolph. The case was postponed to July 2

dsasdf

Union to discuss safety of journalists with politicians regularly

The SA Union of Journalists (SAUJ), the largest union for journalists in the country, is to set up permanent structures with the main political parties to discuss attacks on journalists

This resolution, passed at the union's annual congress in Cape Town, follows a spate of attacks on journalists in the townships

The SAUJ also undertook to launch a major

education campaign on the safety of journalists in co-operation with the SABC and newspapers.

Other resolutions passed include the launch of a campaign for

a Freedom of Information Act to be enshrined in a new constitution and a call on members of the new SABC board to publicly commit themselves to freedom of the media.

— Staff Reporter

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AFRICAN National Congress lawyer Matthew Phosa responded to the Appeal Court judgment on Winnie Mandela last week by suggesting that the press apologise for having put her through a trial by media.

I do not believe that jailing Mandela would have served any purpose. It would be hard to justify putting her behind bars while Barend Stridom walks free, performing video re-enactments of his racist killing spree.

My quarrel with Phosa is that he chose to pick on the one party that emerged from this sordid saga with any credit. It was the newspapers, and in particular *The Weekly Mail*, that unearthed the story, and continued to insist that Mandela have her day in court even as the state, weighing the political consequences, dragged its feet and witnesses disappeared.

There is a long list of people who should apologise. It includes the ANC, for seeking to elevate a common-law trial involving kidnapping and beating of youths into a political trial, and for failing to discipline those in its own ranks who obstructed justice by helping spirit key witnesses out of the country.

The case shows that even when the press does what it is supposed to do — point out that the emperor's wife has no clothes — somehow it still comes out smelling like the villain.

Not that the press depends on the flattery of politicians. Quite the opposite. The press should be the voice of the people, keeping the politicians in check. In South Africa, the politicians aspire to be the voice of the people, keeping the press in check.

Take the debacle over the South African Broadcasting Corporation. The SABC needs to improve the quality, the vigour and the independence of its journalism. Contrived attempts at political balance will result only in a new "politically correct" censorship.

It is disturbing to note that after President FW de Klerk bounced the nominations of Allister Sparks, Khaba Mkhize and Moeletsi Mbeki, there is not a single working or retired journalist on the SABC board.

Sunday Times editor Ken Owen has created consternation in the profession with some sharp reflections on why the press lacks credibility.

Unfortunately, he chose to get personal at the same time — rather like an ageing prize fighter at a fair, mashing the faces of younger all-comers into the turf. Instead of encouraging what is an extremely pertinent debate, he has had the opposite effect.

It speaks worlds for Owen's original point — that journalism in this country has fallen on hard times — that he can intimidate an entire profession into virtual silence.

Owen's broadside begs challenge. His key to unlocking the mystery of why the press here has become so bad is a decade-old memorandum from former *Rand Daily Mail* deputy editor Benjamin Pogrand, saying that the *Mail's* reporting lacked balance.

Though I was not at the *Mail* when Pogrand drew up his memo, or when Owen moved into Allister Sparks' office and discovered the memo on his desk, I was a devout reader of *The Rand Daily Mail* at the time.

In 1980, I left Cape Town to start work as a young cub reporter at that Siberian outpost of the

Trial of ⁽²⁴³⁾ not by — the media

w/MAIL 11/6-17/6/93



The death of The Rand Daily Mail impoverished public debate at a critical time

The demand that the press apologise for putting Winnie Mandela through a trial by media highlights the daunting challenge facing the South African media in these times of change



By
**PHILLIP
VAN
NIEKERK**

Argus company, the *Diamond Fields Advertiser*. When I wasn't chasing rabies outbreaks in Kimberley and the declining fortunes of the Griqualand West rugby team, I was reading the *Mail*.

It was loud, lively, idiosyncratic, crusading. It was sweet music to an aspirant young reporter whose vision of hell was being trapped in Kimberley and in the employ of the Argus company forever. I vowed that one day I would work there.

Three years later I did go to work for the *Mail*, not knowing that I was boarding a doomed ship that was to sink within 18 months.

One always hesitates to rake up the past. But Owen has chosen to use the *Mail* as an example of what went wrong with our newspapers. When the *Mail* closed, his epitaph to it and the *Sunday Express*, which died under his editorship, was that they had failed in the marketplace of ideas.

They were replaced by an aggressive free-market ideology. *Business Day* was dedicated from its inception to shedding the *Mail's* liberal image — an embarrassment to its management — and its black readers, who were an anomaly to its advertisers. It was once explained to me that a black readership wasn't worth the cost of the

day's newsprint.

Those were the short-sighted days of the Carlton and the Good Hope conferences, and big business support for PW Botha's tricameral constitution of 1984. *The Rand Daily Mail's* view of an inclusive South Africa was hugely unfashionable. I remember Botha gloating on the night that the closure was announced that it reflected a new spirit of South Africanism.

What destroyed the press in South Africa was a newspaper management that didn't respect or understand the profession it controlled.

It was the declining salaries and status, the steady diminution of rewards in rough proportion to the dangers reporters faced, that demoralised the profession and gutted the press.

The death of the *Mail* impoverished South Africa's public debate at the very moment when the townships were starting to explode, and bridges between our racial ghettos were in desperate short supply.

The labour reporters whom Pogrand's memo allegedly said "failed to represent fairly the views of employers" were two of South Africa's foremost journalists. Steven Friedman and Riaan de

Villiers

At a time of sweeping change, they provided an independent, critical understanding of the burgeoning union movement, an enormously important social and political phenomenon. Employers who were not intent solely on union-bashing read the *Mail* for its labour coverage.

They virtually created a whole style of reporting in the country. I felt privileged to follow in their footsteps.

The closure of the *Mail* shut down yet another avenue for the voices of the voteless majority. In that sense, the management of the newspapers were co-opted into Botha's "total strategy" of silencing the voices from the townships, from exile and from jail. Is it any wonder that the credibility of the press suffered?

But if that was the failing of a past era, the current phase of transition has found much of the media equally badly wanting.

Owen is right that the press has by and large made a hash of interpreting the negotiations, cramming an enormously intricate subject into an incoherent muddle of deadlocks, breakthroughs and concessions that seldom cuts through the posturing of the politicians.

But it might prove to be a benign mess. Perhaps full transparency at this point would risk inhibiting politicians from the necessary deviations from constituency mandates required to cut a deal.

The bigger, almost overpowering question that Owen is posing is: when democracy comes to us, will the press prove to be the weak link that causes it to fail?

Within a year there will be a government of national unity, combining the ANC, the National Party and everybody else who wins five per cent in the elections.

The press will face the daunting task of helping to build public confidence in the fledgling democracy, while at the same time being one of the most critical elements of opposition to the politicians. For democracy to work, the press needs to be far more vigilant than it has been in the past in exposing corruption and abuse of power in government. We already know what the NP is capable of. The corruption in the returned exiles committee provides an ominous inkling of the capacity for incompetence and corruption in the ranks of the new bureaucrats.

Yet there are grounds for optimism, of a revival. The daily *Star*, *Business Day*, and the *Sunday Times* are much better newspapers than they were three years ago. Broadcasting has immensely improved too, with Radio 702 adding a new edge, and even the SABC improving.

The real disappointment is the press is largely inactive in campaigning for greater transparency in government now, while the ground rules are being drawn up. The Democratic Party is the only interest group, for instance, that has taken up the cudgels on behalf of freedom of information.

But at the end of the day no constitutional provision for a free press will be worth the paper it is written on unless the press improves the quality of its product and finds its vocation as the voice of the people.

It's a source of enduring and incalculable loss that *The Rand Daily Mail*, which was killed off just as the process of real change began, won't be here to help that happen.

Fighting apartheid with ink

Spur 14/6/93.

243



AS South Africa heads for its exciting future, many will lose sight of the forces that helped craft the changes

There were numerous factors, most notably the marathon struggle of the liberation movements, the battle of blood

Another was the battle of printer's-ink. It was fought by newspaper professionals, some hailed internationally and some unknown, in a long struggle against nationalist power.

They did it in 48-point capitals and Times Bold. They employed courage and skill mixed with just enough forelock-tugging and the proffering of bones to pacify the growing white lions temporarily in power

Harvey Tyson was uniquely positioned, as a professional observer for more than 40 years of eccentric Nationalist rule, to tell the story His career covered the whole span the crazy debut of apartheid, the defiance campaign, Sharpeville, detentions, Angola, Soweto, Muldergate, states of emergency, death squads, De Klerk, Mandela, and the rest

Tyson was editor-in-chief of The Star for 16 years, and can look back on a career which kept faith with the central tenets of his profession world-wide. His clear, fervent wish is to have the role of the press in that era recognised for what it was.

His book is a large (428-page)

developed particularly in the Botha years, as it happens, just when the mainstream media were given rich pickings in pay-TV, and the Mail was closed to the applause of P W Botha.

Cautiously, Tyson concedes that the owners, Anglo American, were "perhaps" not attacked, often enough by newspapers they owned in controversial areas such as mi-

and meticulously marshalled view of a country that broke itself, and nearly its press, on the anvil of apartheid An editor's obsessive preoccupation with fact-checking comes through as he fortifies reminiscence with hitherto-unpublished memos

The result is a rare, compelling look inside the conclave of South African newspapering

Only a fraction of the news that reaches a newspaper has a chance of publication The rest hovers in limbo, in hold, spike or overset etc. Countless fascinating internal office memos languish in filing cabinets. Using these, and more, Tyson tells a fine story, giving chapter and verse, with a puckish, disarming humour.

His appetite for writing the book was probably whetted by critical remarks about the mainstream press from people like Nelson Mandela and Archbishop Desmond Tutu Such strictures can have the merit of spurring working journalists to do more And criticism was certainly warranted when applied to certain newspapers which wallowed in Fleet Street's pop trinity of crime, cricket and crumpet. The mainstream press had its fair share of creeps and carpebaggers.

Yet generalisations against the mainstream press are difficult to sustain — and Tyson sets about giving credit where it is due, in a fuller mosaic of information than has been seen before.

grant labour and factory pollution. The case for high-profile conglomerates' unbundling of newspapers is reinforced by such remarks.

It is also legitimate to ask why the mainstream newspapers, while fighting the freedom battle, were so slow to advance blacks (not to mention women) to the

BOOK OF THE WEEK
Editors Under Fire by Harvey Tyson (Random House R84,99)
Reviewed by **TONY HEARD**

The value of Tyson's account is that, more than any other, it delves deeper into the morass that was apartheid, and exposes its tawdry innards and contradictions, and charts the impressive and consistent role played by mainstream newspapers in defending freedom.

Of necessity, his sources tend to come from his own newspaper, The Star, but he is not ungenerous in his treatment of other titles, including the courageous alternatives — and, indeed, waves of black journalists who lived special kinds of hell at the hands of security forces and radical activists.

The list of mainstream achievements, when considered together, can only be described as massive. One need but mention the role of the Sunday Express and the Rand Daily Mail in bringing down a prime minister and his ambitious, arrogant henchmen — if not their pet newspaper — during the Information scandal. The irony is that those two superb newspapers were put to death "for financial reasons" a few years later by their opulent owners

The Star had its successes too. There were titanic battles against the early resolve of the National-

highest, non-taken positions in newspapers, even having regard to the modest progress noted by Tyson recently at the Argus company, of which he is a director.

The book has some excellent contributed essays and insights, with a classic and brilliant depiction of the old Sophiatown by Aggrey Klaaste. Internationally known figures Nelson Mandela,

ist government to curb the press,

the late Kiri Katzin's disclosures on CCB spying and the newspaper's disregard of official threats during the emergency in publishing advertisements of the Detainees' Parents Support Committee and numerous other dicey advertisements, pictures and reports (including names of detainees thought until then to be unpub-lishable).

Perhaps of more long-term significance for freedom was The Star's grueling day-to-day running battles with bureaucratic authority, such as police and later defence, to prise open, and hold open, the ramports of the public's right to know. Yes, reader. The Star and others in the mainstream fought long and hard for your freedom — and there was little sales or commercial benefit in this either.

The traditionally more staid Argus company flagship moved in to fill some of the liberal void when the Rand Daily Mail's disappearance impoverished the streets of Johannesburg in 1985 — just when the Mail could play a role in the turning fortunes of a nation.

Someone other than Tyson (with his record of professionalism, innate liberalism, attention to detail

and instructive rapport with all-rounder Rex Gibson, last editor of the Mail, whom he hired as his deputy) might not have done this with the same gusto and canny success.

Tyson had his brushes with friends too As editor of the Cape Times, I had differences with him over the Allan Boesak bugging case which highlighted an age-old dilemma for editors how to reconcile personal privacy with legitimate public interest. The book gives a very fair account of the clash.

Tyson has thoughtful remarks on editors' relations with proprietors, monopolies, newspaper chains, and so on. Something that comes through powerfully is the team-work of managers, editors and lawyers under pressure, which did much to hold the line for freedom particularly in the states of emergency.

Layton Slater, Argus chairman, emerges — with D P de Villiers, ex-MD of Nasionale Pers — as a champion in dealing deftly but firmly with naked power.

While one can concur that the ultimate owners, notably Anglo American, scrupulously did not interfere with editors once appointed, and that managements generally kept their distance, Tyson might have discussed in greater detail the broader context of business and government. Many saw significance in the unhealthy business/government coalition that

Helen Suzman, Anthony Lewis and Lord McGregor of Durris offer useful thoughts to round off a rich read.

Editors Under Fire is a major addition to the history of an era which we can all hope is over, but should not forget. □

● *Tony Heard was editor of the Cape Times from 1971 to 1987.*

A risky business for a cameraman in the frontline

By Michael Sposito

(243)

With the stresses and strains, the escalating pitch of violence of the new South Africa, the life of a press photographer has become a risky business.

Indeed, with four injuries in three years at the frontline of media photography, for award-winning photographer Joao Silva (27), this time could be called "the years of living dangerously".

The Star photographer received the Medal of Merit from the Portuguese government at the weekend — the highest honour awarded to a "junior" (under 30). The award was in recognition of his achievements in the field of press photography.

He recalls a moment in Soweto, at the height of train attacks of the Reef.

"I was standing on the tracks, and this Inkatha dude was standing on the platform shooting at me with a handgun. The ground was disintegrating in front of me as he fired. All I could do was just keep taking pictures." One of those pictures won him an award.

In Somalia it was war of a different kind.

"I came out of there totally, emotionally drained," says Silva. "In a normal war situation you go with the flow, gunfire, bodies all around. In Somalia it was masses of walking skeletons, little children too weak to wipe the flies off their faces.

"One moment I was pressing the shutter, the next moment the child was dead. So-



Sharp shooter . . . The Star's Joao Silva receives the Medal of Merit from Portuguese ambassador Jorge Ritto in Johannesburg on Saturday night.

malia is more stressful than any other war situation."

But the photographer, who has been with The Star for the past two years, never gives the dangers of the job a thought.

"It's no use bothering with something over which you have no control," he says, staring at you mildly through granny glasses that suggest some deskbound job rather than the often tense

situations of newspaper photography.

It has been a good year for Silva. From the young man who picked up a friend's camera at Kyalami, "shot off a few frames and became instantly hooked", he has risen to the peak of his profession.

In April he was named the Iford Press Photographer of the Year for 1992. Born in Lisbon, Silva came

to South Africa with his parents via Mozambique when he was 10. Once he was bitten by the photography bug, he took a correspondence course in the subject before joining Reuters on a freelance basis.

He stayed with the agency for two years and covered almost nothing but violence. "As a freelance you have to expose yourself. It's the only way to make money with an agency."

Picture: Ken Oosterbroek

The picture that gave him most satisfaction last year was one he called "Waiting for the Dawn". Taken three days after the Bolpatong massacre, it shows self-defence unit members standing under a tree with the sun rising in the background.

"I've been knocked about from all sides — from the Right, middle-of-the-road to the Left. It's part of the job," he says philosophically.

Potential witness gets death threats

PORT ELIZABETH — The notorious Koevoet unit's activities, allegations of death threats to key witnesses and evidence on the possible destruction of relevant documentation by the security police, came under the spotlight at the Goniwe inquest in Port Elizabeth yesterday.

Before the proceedings had even begun, legal counsel for the police Pieter de Bruyn told Judge Neville Zietsman that former security policeman Capt Deon Nieuwoudt, a potential witness, had received death threats.

The threats followed senior counsel for the SADF Anton Mostert's allegations that Nieuwoudt might have been involved in the 1989 killing of three policemen and an informer, all of whom probably had knowledge of the 1985 murder of Matthew Goniwe and three other campaigners.

De Bruyn said Nieuwoudt's career, his life and the lives of his family were on the line and he would not be able to testify before further consultation had taken place.

Former head of the security police in Cradock and former officer in Koevoet Col Eric Winter admitted during cross-examination by Mostert yesterday that documentation recording Goniwe's movements between June

16 and June 27, the day he was brutally murdered, might have been destroyed without authorisation.

He said he could not recall if such documentation had existed or if it had been destroyed, as after the 1990 unbanning of political organisations, "masses" of classified documentation had been destroyed as it was no longer considered relevant.

He admitted that if documentation recording Goniwe's movements, between June 16 and 27 had been destroyed, it would have been relevant and "beyond authorisation".

He said Goniwe had been considered a major political campaigner and as such his movements had been monitored and his telephone bugged.

Senior counsel for the deceased George Bizos submitted that Winter had brought the violent ethos of Koevoet with him when he had been transferred to head the security branch in Cradock in March 1985, three months before Goniwe and the others were brutally murdered.

While admitting that Koevoet was a "cold, calculated, effective and ruthless unit and the major thorn in the flesh of Swapo terrorists", Winter denied that he had used the unit's "unorthodox" methods in Cradock.

The hearing continues tomorrow. — Sapa.

Motorist to appeal on camera traps

SUSAN RUSSELL

THE legality of using unmanned camera traps to convict drivers for speeding offences will be challenged in the Appellate Division after a Witwatersrand motorist was granted leave to appeal in the Rand Supreme Court this week.

Albertus Fuhri was convicted by an Alberton magistrate of exceeding the speed limit. The conviction was based on photographic evidence obtained by an unmanned camera trap. He was cautioned and discharged.

In March Fuhri, funded by the Automobile Association, appealed against the conviction on the grounds that photographic evidence from an unmanned camera speed trap was hearsay and inadmissible. His appeal was dismissed by

two Rand Supreme Court judges.

This week, however, Fuhri was granted leave to take his appeal to the Appellate Division. It was argued on his behalf that the principle involved was of great relevance to the future development of the law in respect of speed prosecutions using automated devices.

Fuhri's appeal is the second AA-funded case challenging the validity of convictions obtained through unmanned camera traps. In the first, heard in Cape Town in February, a motorist fined R120 for speeding was acquitted after the court held that readings from an unmanned camera trap were hearsay evidence.

New lifestyle magazine launched

LINDA ENSOR

CAPE TOWN — Associated Magazines, partly owned by Cosmopolitan and Femina editor Jane Rapaely, is to launch a new monthly magazine House and Leisure in October.

Rapaely said yesterday at a function to announce the launch of the glossy lifestyle magazine that the timing for such a publication seemed right.

It would fill a gap in the market and take advantage of the worldwide trend to focus on the home, food, travel, entertainment, leisure and gardening issues would be covered.

Rapaely said finance was available to cover losses for the first two years while the magazine established itself in the market.

House and Leisure's cover price would be R5,45 including VAT. The initial print

order was 70 000-90 000 copies and monthly sales of 70 000-75 000 copies were expected. The magazine would be distributed through 7 600 retail outlets.

Associated Magazines partner and marketing director Volker Kuhnel said international syndicators such as Belle, Marie Claire Maison and House and Garden had been signed up to provide foreign input.

At least 75% of readers were expected to be in the 20-49 age group, about 30% to be drawn from the A-income group with the balance coming from B- and C-income groups.

Kuhnel said research had shown that South Africans wanted access to more information about houses, decor, modern living, leisure and travel.

rip njmwa for

Gluckman: backroom hero of the struggle for

THE death of South Africa's foremost pathologist, Dr Jonathan Gluckman, releases me from a 16-year pledge of confidentiality to reveal his role in exposing the truth about Steve Biko's death in detention at a time when the Minister of Justice was attempting a cover-up



Allister Sparks

I had just become editor of the Rand Daily Mail, that wonderful crusading newspaper which struggled through the dark years of apartheid to expose the evils of the system. It was my first experience of the double whammy of Government pressures and unsympathetic proprietors which had driven my two predecessors from the editorial chair, and which in time was to drive me out and eventually shut down the paper altogether just as its moment of vindication was at hand.

Dr Gluckman was one of the backroom heroes of the struggle for justice in South Africa, a tall, rotund man whose slightly pompous air concealed a passionate humanitarianism that drove him into some of the darkest corners of this oppressive society.

He lived graciously, with a liking for fine French wines and good cigars. I once asked him why, with his refined tastes and medical skills, he preferred spending his life cutting up cadavers rather than healing the sick.

"Because", he said simply, "that is where the truth lies."

The truth was his passion, and that is what led Gluckman to phone me on the morning of September 29 1977, with a request that I call at his rooms. Biko had died in detention two weeks before, and the Minister of Justice, Jimmy Kruger, had announced that death was due to a hunger strike — adding, in a phrase that has gone down in the annals of apartheid crudity, that "his death leaves me cold."

Gluckman was in a state of some agitation when I arrived. He

Stew 16/6/93

had attended the post-mortem examination on behalf of the family, he told me, and it was clear Kruger was lying. He showed me the post-mortem report. Biko had died of brain damage. Moreover, the district surgeons who had examined him in detention must have known this, for they had ordered a lumbar puncture which showed an excessive number of red cells.

The question was, what to do about it? Kruger was obviously attempting a cover-up and had hinted that there might be no need for a public inquest. We had to publish the news to force him to hold an inquest. But we would have to conceal Gluckman's role in doing so, both for reasons of medical ethics and because he would be a material witness if the inquest were held. So I made my pledge of confidentiality.

Back at the office I briefed a senior reporter, Helen Zille, and despatched her to Port Elizabeth to see the doctors who had examined Biko in detention. Zille met the three doctors. Their alarm at being confronted with the facts convinced us that they had indeed known what was

wrong with the prisoner. They blustered, half answered some questions, then took refuge in the excuse that there might be an inquest to avoid answering more.

So we found ourselves in the awkward position of knowing the facts but not being able to source them clearly. Zille and I composed a carefully worded report which began "An investigation by the Rand Daily Mail — which included interviews with doctors who examined Steve Biko in detention — has revealed that the black consciousness leader showed no signs of a hunger strike or dehydration."

The report went on to say that our investigation indicated that Biko had died of brain damage, and that the facts we had unearthed contradicted Kruger's statements.

We published the report under a banner headline: "No sign of hunger strike — Biko doctors." Next day the roof fell in. Kruger protested that the report was false and demanded an instant hearing of the Press Council, a body set up by the Newspaper Press Union — the proprietors' or-

ganisation — in the face of threats by Prime Minister John Vorster to pass a press control law if the newspapers did not "discipline themselves".

I refused. The rules of the Press Council allowed an editor seven days to respond to a complaint, and I didn't want to be bullied by Kruger into having an immediate hearing. But the president of the NPU, members of his executive, and eventually my own managing director called on me in a relentless build-up of pressure throughout the day to get me to accede. If I did not, they said, Vorster would cite it as proof that the Press Council was inadequate and he would introduce his legislation. I would be responsible for getting us a press control law.

Eventually I yielded. That night I appeared before the Press Council, constituted like a court with a retired Appeal Court judge, Oscar Galgut, presiding. I was represented by Sydney Kentridge, that superb advocate who now practices as a QC in Britain. Kruger, having lodged his complaint in writing, did not bother to attend.

As the hearing got under way it quickly became clear that if a refusal to hold an urgent hearing was considered unacceptable to Vorster, so was an acquittal. Not being able to call Gluckman as a witness or cite the post-mortem report made our case difficult to present, but even so it was evident that Kentridge's pithest points were making no impact on Galgut. Five hours later, at one in the morning, the judge delivered his verdict. Guilty.

The headline was not substantiated by the facts, Galgut said. It was therefore "misleading and tendentious". Furthermore, it was incorrect to say that the facts revealed by the newspaper's investigation contradicted what Kruger had said.

The paper was "severely misrepresented" for its transgressions. History has vindicated us, of course. But the verdict still stands in the records of the Press Council, and the newspaper is dead because of the thousand wounds like that which it suffered in its final years. Now Jon Gluckman is dead too. Only the truth survives. □

Star 17/6/93

Newspaper

restrained

CAPE TOWN — The Cape weekly newspaper South and its editor, Dr Guy Berger, were last night restrained by an urgent Supreme Court interdict from publishing an article which allegedly defames the company Plessey Tellumat SA. Deputy Judge-President Mr Justice J J Fagan ordered South to give reasons by August 2 why the interim order should not be made final. The article accuses the company of being racist, sexist and discriminatory. — Sapa.

(243)

Editor aims to safeguard role of medical journal

ARC 17/6/93 (243)

□ Open debate on all health-care issues is vision

ANDREA WEISS
Health Reporter

THE first black editor of the South African Medical Journal has vowed to uphold the scientific tradition of the publication and believes it has an important role to play in Africa

Dr Daniel Ncayiyana, 54, a gynaecologist and obstetrician who studied in Holland and the United States, takes over from Dr Nick Lee, who retires next month

Dr Ncayiyana said he aimed to retain the journal's scientific standards, which made it the seventh most frequently cited journal in world medical literature among referred publications

"Additionally, it is my hope that as South Africa regains normal relations with central, east and southern Africa, the SAMJ will begin to also meet the needs of colleagues in these countries," he said

His vision was for the SAMJ to provide a platform for open debate of health-care issues, which also constituted a significant part of political debate

He also foresaw a watchdog role Doctors taking part in violations of human rights were not necessarily a thing of the past, he said

"We should not be so naive as to assume that political torture and human rights abuses will not occur under a future government of the new South Africa

"The medical fraternity might yet find itself having to confront predicaments such as hunger strikes, torture and unexplained suicides in police custody, and the political abuse of psychiatry

"My vision, then, is that if and when such occurrences happen, the SAMJ will provide the medium for the profession to address those issues openly and will not shrink from editorialising on health care-related human rights abuses"

● Born in Port Shepstone, Dr Ncayiyana fled South Africa as



Picture HANNES THIART, The Argus

HANDING OVER: Retiring editor Dr Nick Lee discusses this month's issue of the South African Medical Journal with new editor Dr Daniel Ncayiyana

a member of the Pan Africanist Congress during the early 1960s. He obtained a scholarship to Groningen State University in Holland and completed his medical studies there in 1970

He specialised in gynaecology and obstetrics in the United States at New York University and at the Albert Einstein College of Medicine, and practised in the US

In 1983, he was granted transit rights through South Africa and allowed to settle in Transkei. After a spell in a rural hospital, he was promoted to Um-tata Hospital and became medical superintendent

He moved to the University of the Transkei, where he was appointed principal, before joining the SAMJ

Stressing his non-alignment, Dr Ncayiyana said his marriage to a "settler" — his Dutch wife, Klementine Molen-dijk — had affected his relationship with the PAC

He did not feel at home with the ANC, as he had spent much of his life opposing the Freedom Charter

"I was wondering whether my new heritage might qualify me for membership of the Afrikaner Volksfront," he joked

South ordered not to publish Plessey article

By RONALD MORRIS
Supreme Court Reporter

THE weekly newspaper South and its editor, Dr Guy Berger, were interdicted and restrained in the Supreme Court last night from publishing an article which allegedly defames the electronics company Plessey Tellumat SA.

Deputy Judge President Mr Justice J J Fagan ordered South, Dr Berger and Nasionale Media to give reasons by August 2 why the interim order should not be made final.

Judge Fagan said the article was clearly defamatory and Plessey has denied there was any truth in allegations contained in it. There was no public benefit in printing the article and should it appear it would harm relations with its staff and customers.

"I am quite satisfied that here the scales are tipped right over on the side of Plessey in the harm it would suffer compared to the harm South would suffer if publication of the article was delayed," the judge said.

In an affidavit, Plessey personnel

director Mr Kevin Alborough said he received a faxed draft of the article from South journalist Miss Edwina Booyesen on Monday.

Although he received the fax at 3 38pm, he was told the deadline was 3pm and he was obliged to reply "as soon as possible".

He instructed his lawyers to inform South and Dr Berger that the article contained various "untrue and inaccurate accusations" and that its contents were defamatory.

His lawyers wrote to South calling for a written undertaking by 12pm on Tuesday that they would not publish the article, failing which, an urgent Supreme Court interdict would be sought.

Commenting outside court later Dr Berger said: "It's an unfortunate curtailment of the free flow of information which is so badly needed at this point in our history" (243)

Mr Charles Louw, SC, with Mr Merwe Scholtz, instructed by Sonnenberg Hoffman and Galombik, appeared for Plessey. Mr Norman Arendse, instructed by Mr Bashier Waglay of Moosa and Associates, appeared for South and Dr Berger.

International fighter for free flow of information is

Press freedom in South Africa will come under the spotlight when the International Press Institute (IPI) holds its annual conference in STEYN, editor-in-chief of the Johannesburg newspaper, The Star, and an IPI executive board member

HEARTFELT tribute was paid to the International Press Institute at its recent general assembly in Venice by the celebrated Polish dissident and editor, Adam Michnik

It was the IPI, said Michnik, that had opened his eyes to the global nature of the struggle for freedom, and had sensitised him to the struggles of others to defend the free flow of information. Other editors from behind the former Iron Curtain echo these sentiments

The IPI is a body of more than 2 000 editors and publishers who subscribe to the belief that world peace depends on a better understanding among people

Essential to such understanding is the free exchange of accurate and balanced news and opinion among nations

It came into being to promote the free flow of information, improve standards of journalism and defend press freedom wherever it is threatened. Membership of the organisation has always been open to individual editors who support the IPI's ideals, no matter how restrictive the environment in which they work

For many years the IPI was one of the very few international organisations that stood up for the rights of South African members to attend its assemblies, wherever

they were held. Under long-time director Peter Galliner, a firm principle was laid down that the IPI would meet in conclave only where all its members were welcome. In South Africa, Taiwanese or Israelis were excluded the IPI would go elsewhere

On one famous occasion it cancelled a conference in Nigeria because South Africans were barred, on another, after Egypt changed its mind about admitting Taiwanese and South Africans less than a week before an assembly was due to begin. Director Galliner deliberately left press releases scattered around his hotel room announcing a last-minute switch of the IPI General Assembly from Cairo to Zurich — and

predicting a severe loss of prestige and tourist dollars to Egypt. The Egyptian security services did the rest. Hoping at the time for a loan from the United States, the Egyptian government backed down and President Mubarak went on to open the full assembly a few days later

Between its annual assemblies, which tend to be held in countries where press freedom has been or is under strain, the IPI acts as a watchdog over media freedom and defends the rights and interests of journalists in countries as diverse as Turkey, Colombia, Israel, Kenya, Korea and Hungary

In recent years, it has been particularly active in Latin

America where the drug barons have made life hell for journalists in Turkey where many supposedly pro-Kurdish journalists have been killed, and in Hungary, whose post-communist government has reneged on many of its good intentions

Other areas of special focus are Russia, where a conference is soon to be held on the role of the media in the transition to democracy, and Asia, where countries such as South Korea and Taiwan are enjoying the new experience of free newspapers

One of the IPI's proudest achievements has been its principled and effective opposition to Unesco's New World Information Order — an at-

tempt by the socialist and non-aligned block in the UN to counter Western news agencies and control the flow of information from Second and Third World countries

Thanks in large measure to IPI's resistance, NWICO never came into existence and, following the fall of communism, ought not to be heard of again

As a country which has hovered between restricting and allowing some freedom to its media, South Africa has always been of special interest to the IPI

Many South African editors have drawn support from the organisation and spoken at its assemblies. So have a few select personalities including

Nelson Mandela, whose ringing endorsement of press freedom under an ANC government in Kyoto, Japan, two years ago will be the benchmark against which future ANC media policies will always be measured

Evidence of the regard in which the IPI is held is the calibre of speaker attracted to its conferences. Its general assemblies are usually opened by the head of state of the host country, among them in recent times Mitterrand of France, Ozal of Turkey, Alfonsín of Argentina and Von Weisacker of federal Germany

Main speakers at its 1993 conference in Venice earlier this month were Nato secretary General Manfred

Woerner who made a strong pitch for Nato's continued existence as a force for stability in an increasingly unstable world, and Holocaust survivor and Nobel Peace Prize winner, Elie Wiesel, who made an impassioned plea for a co-operative effort to end the suffering in Bosnia.

Many notable editors and publishers from the US, Europe and Asia will be coming to Cape Town in mid-February 1994 to see for themselves what South Africa is like and to assess prospects in the run-up to the country's first democratic elections

For our political parties, as well as our media and tourist industries, it will be an opportunity to perform upon a truly international stage

Heading our way
Town next year, writes RICHARD
(243) ARG 18/6/93

TVoterreducation

The media and the election

South 191b - 2316193

ONE OF the many aspects involved in preparing for a free and fair election is examining the role of the media in the country

Is the media impartial? Does it allow free and equal access to all political parties? Is any section of the media owned by one of the parties or the government contesting the election? (243)

The answers to these questions have an impact on how free and fair an election will be. Because parties attempt during an election campaign to persuade all citizens entitled to vote to support them, they need to reach them to get across their messages. It is also vital that they be presented with objective information about the parties contending for their votes.

They must receive accurate, undistorted information about all options available to them in order to make the choice best suited to their own interests when casting their votes. Voters also need to be educated about how the elections will be conducted. In South Africa, where millions of people will be voting for the first time, they need concerted voter education programmes.

Because the media is able to reach all sections of the population, its role as a medium facilitating voter education is crucial. This article is reaching you because it is presented in the media. Because of the importance of the media in an election campaign,



FREE THE AIRWAVES: South African demonstrators outside the SABC offices

election monitoring and observing also includes monitoring and observing the role of the media from the pre-election period. Currently in South Africa, there are many attempts to open the airwaves of the South African Broadcasting

Because the SABC is exclusively controlled by one of the parties that will be a key contender in the elections, it cannot be completely impartial. Compounding this is the fact that the SABC is the only public radio and television network available to citizens of South Africa. For this reason it is vital that the SABC is re-organised in such a way that it is not only impartial,

but also perceived to be impartial by the entire population of the country. This needs to happen well before elections if the medium is to be effective in voter education programmes, because at present the SABC lacks credibility among large sections of the future electorate. In the interim the SABC could

allow civic organisations with credibility to use the medium for voter education purposes. Maria Trust had to suspend negotiations with the SABC for a time for voter education programmes on June 9 because it felt the SABC was not willing to facilitate the process in an impartial manner.

10 SOUTH MEWUSA FOCUS

A LATE-HOUR Supreme Court application by Plessey Tellumat SA Ltd on Wednesday has forced SOUTH to drop the article prepared for this space
Because of the order, we are not even allowed to tell readers anything about the article.
The court ruling does not restrict other newspapers from reporting details of the case
Contesting the restriction on behalf

of SOUTH, Advocate Norman Arendse argued that the interests of press freedom should take precedence over the company's bid to block publication.
He also suggested that SOUTH be allowed to publish because Plessey Tellumat was free to institute a civil case afterwards
Judge H Fagan was unconvinced by these arguments, saying that the "scales are balanced right over in

favour of the company."
He also ruled that there was not enough time for Arendse to lead evidence that the disputed article was true and in the public interest.
Judge Fagan concluded by granting Plessey Tellumat a temporary interdict preventing publication of the article until August 2, when SOUTH will contest the order
Arendse was instructed by Moosa, Wagley, Petersen and Associates.

*South
19/16-23/6/93*

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[Handwritten signature]

[Handwritten signature]

Lifestyle [Times (Metro)] magazine 20/6/93 (243) launched

By JEREMY WOODS

Food, wine, homes, leisure and travel

That seems to be a winning formula for the new magazine launched this week by publisher Jane Raphaely and Volker Kuhnel

Called House and Leisure, the magazine is aimed at the younger market and people want to enjoy a more enriched lifestyle

"I believe there is a real need for a magazine to celebrate the South African lifestyle," says Jane Raphaely

And that is exactly what she is going to do

House and Leisure, which comes from the same stable as Cosmopolitan and Femina magazines, is expected to draw a circulation of around 90 000.

The magazine has an experienced editorial team headed by former Cosmopolitan fashion editor, Sumien Brink

It is set to hit the newsstands by mid September and will retail at R5,45.

Judge

gags 5 Times paper

By DIANA STREAK

CAPE weekly South published a partially blank space on Friday after a Supreme Court interdict prevented it from publishing an article on Plessey Tellumat. 20/4/98

Editor Guy Berger replaced the story with a statement that "because of the order, we are not even allowed to tell readers anything about the article".

The article suggested the communications firm was guilty of sexism and racism because it had not fired an executive found guilty of sexual harassment. Had he been black, it suggested, he would have been fired.

Plessey Tellumat said the article contained "untrue accusations". 2/4/98

An affidavit said the executive had been found guilty by a disciplinary inquiry and given a final written warning.

Plessey Tellumat was granted a temporary interdict preventing publication until August 2.

Mr Berger said: "We said the balance should be in favour of Press freedom but the judge ruled that the article was defamatory."

English newspapers keeping adspend share

ADSPEND figures have for some years pointed to a decline in the print media, but closer analysis shows that some print categories, particularly English newspapers, are still faring well.

Finance Week's AdReport said that while some sectors of print media were losing their adspend share others were gaining.

Adindex figures for 1992 showed that print's share of the total adspend cake dropped to 41,05% from 42,2% in 1991. TV's share increased to 37,64% from 37,18%, and radio's grew to 12,24% from 11,1%.

The daily and weekend newspapers increased their share of adspend to 17,25% from 16,41% in 1991.

MARCIA KLEIN

Afrikaans morning papers maintained their share at 3,51%, but weekend papers slid to 0,96% from 1,25%. Suburban, country and the consumer magazine sectors dropped their share.

Within consumer magazines, general interest magazines, men's interest magazines and current affairs publications showed marginal increases. But women's interest, motoring, up-market/home interior and sport and outdoor publications fell back. Business to business magazines also showed a decline.

In radio, nearly all vernacular programmes showed an increase.

Best thing to them was interactive advertising. Photo by MICHAEL GOODMAN

Advertorial 'clean-up'

CAXTON Newspapers' marketing arm, Newspaper Marketing Bureau (NMB), has created an independent advertorial division to target below-the-line paid editorials. Senior editor Cliff Buchler said more and more advertisers were considering using advertorial to complement traditional

advertising
Many editors believed "anything smacking of advertising dressed up as editorial" was tantamount to prostitution, he said
"One can appreciate this abhorrence of free plugs, badly written and teeming with superlatives."

There was a time when freshsheets were sitting ducks for this abuse, "perpetuated by unscrupulous space reps intent on filling their order books."

But Buchler said Caxton had cleaned up the act by taking a stance against free editorial appearing "willy nilly". Editors now had the sole right to decide what appeared in their papers.

In spite of this policy shift, advertisers still asked for write-ups. Buchler believed these could be newsworthy and of benefit to consumers. The advertorial division was established to fulfil this need.

Ogilvy & Mather, Rightford Searle Tripp & Makin 25132/E REV

Corporations profit from Sincere social responsibility

PROFIT considerations are likely to drive corporate social responsibility beyond the "hand-out" and "hand-up" phases that characterised the '80s, says Sandton-based ad agency FMC.

The agency recently carried out a study of worldwide corporate social responsibility developments.

MD Nigel Morris said the impulse to feel good had been superseded by the realisation that alignment with the wider community on social issues was "good for business as well as good for the soul".

The result was that communities learnt to appreciate the private sector's investment-and-return mindset, while the private sector learnt that sincere community orientation resulted in long-term benefits to the bottom line, said Morris.

He conceded that for many people, corporate social responsibility still meant wishy-washy liberalism that had no place in business, a luxury only big business could afford or a necessary diversion of resources to atone for past sins.

However, forward thinkers had spotted a new reality — that social responsibility could be an exciting point of difference that turned a company into a winner, said

KELVIN BROWN

Morris. "This type of corporate social responsibility shapes corporate culture, boosts productivity, brings a new dimension to product development and creates new market positions".

Rainforest Crunch — a US confectionery bar — was a classic example. It had proved popular because US consumers liked the fact that a portion of the price was targeted at saving the rainforests.

Other international retailers and manufacturers committed themselves to major programmes to help the unemployed, boost recycling efforts, save waste, protect the environment and help the handicapped and minorities.

"Corporate social responsibility is not socialism in a new guise", said Morris. It made good business sense and would be placed increasingly at the top of companies' agendas.

As a result, advertising agencies which functioned as extensions of their clients' business would have to provide information and consultancy in this field, he said.



Bill to cut papers from radio and TV

ARC
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Political Staff

JOHANNESBURG — South Africa's major newspaper groups could be prevented from gaining a significant stake in a new deregulated broadcasting system under a draft Bill for the proposed independent broadcasting authority

The Bill, drafted by the negotiations technical committee on the issue, places several limitations on "cross-media control of private broadcasting services" — both radio and television

In terms of the Bill the authority would maintain an associated newspaper register which would contain names of newspapers with at least 50 percent circulation "within the licence area of a private broadcasting licence"

Restrictions on control of a private licence in the draft Bill include:

● "No person shall be a director of a company exercising con-

trol of newspapers with a circulation of over 300 000 and a director of another company which has company interests in more than one private broadcasting service

● "No person can be a director of a company — or two companies — with interests exceeding 35 percent in a private broadcasting licence and be director of another company in a position to exercise control of a newspaper or newspapers whose combined or average circulation exceeds 300 000

● "No person shall be a director of a company or companies that can control a private broadcasting licence and be in a position to exercise control of the newspapers that are associated with the licence area

● "No person shall be in a position to exercise control of a licence and of the only newspaper or newspapers associated with the licence area."



Media groups face curbs

Star 23/6/93

By Esther Waugh
and Chris Whitfield

243
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South Africa's major newspaper groups could be prevented from a significant stake in a new deregulated broadcasting system in terms of a draft Bill for the proposed independent broadcasting authority.

The Bill, drafted by the negotiations technical committee on the issue, places several limitations on "cross-media control of private broadcasting services" — both radio and television.

In terms of the Bill, the authority would maintain an associated newspaper register which would contain names of newspapers with at least 50 per cent circulation "within the licence area of a private broadcasting licence".

Restrictions on control of a private licence in the draft Bill include

No person shall be a director of a company exercising control of newspapers with a circulation of more than 300 000 and a director of another company which has company interests in more than one private broadcasting service.

● No person can be a director of a company — or two companies — with interests exceeding 35 per cent in a private broadcasting licence and be director of another company in a position "to exercise control of a newspaper or newspapers whose combined or average circulation exceeds 300 000".

Political groups intending to take part in elections will also be prohibited from holding broadcasting licences.

The draft Bill will be discussed in the Negotiating Council in two weeks' time.

The majority of parties in the council yesterday agreed on the need for an independent media commission and an independent electoral commission to be established in the run-up to the first democratic elections.

Star to cut staff by 5%

Own Correspondent

JOHANNESBURG —
The Star newspaper is expected to reduce staff by about 5% in all departments, a South African Union of Journalists spokesman said yesterday (243)

The rest of the Argus Group was likely to follow suit as all operations had been affected adversely by a reduction in advertising revenue and higher costs

The union said management met representatives earlier this week to discuss cost reduction measures (231/93)

About 15 editorial posts would be lost CT

BUSINESS How a photo-journalist with a dream set about making

Nothing negative for this photographer



Sanlam 75

Sowetan 24/6/93

OWN DESTINY Bongani Mnguni works

round the clock to achieve success: 243

By Mzimkulu Malunga

IN THE highly competitive photographic world, patience and hard work are the names of the game, says Mr Bongani Mnguni of Black Image

"Many publications and agencies have their own photographers and for them to use your pictures they have to be exceptionally good" says the man who works round the clock

After working in the newspaper industry for over a decade, Mnguni wanted to determine his own destiny and teamed up with a friend to take photographs for various American companies

But when the sanctions campaign heightened and many American companies pulled out of South Africa, Mnguni and his partner were left in the cold

Despite the setback, he refused to be battered into submission and established a photographic agency which supplied pictures to local and overseas publications

"Initially the objective was to organise journalists who were out of work to form a co-operative through which we could share

facilities and be able to survive.

"But that did not materialise because some people could not cope. In this field you have to work really hard before your operation matures," he says

Mnguni says he has managed to secure the confidence of a number of publications, companies, institutions and black business organisations

In addition to being the official photographer of the University of Venda, Mnguni takes pictures regularly for the National Sorghum Breweries

The Association of Black Accountants of Southern Africa and the Association of Black Hairdressers of South Africa are among some of Black Image's clients. Taking pictures for business brochures or annual reports pays better than newspapers and magazines, says Mnguni, but he is not prepared to turn his back on photo-journalism because of his love of the field

His dream is to expand Black Image into a fully fledged news agency supplying pictures and news stories. Already there is someone who writes news stories which are distributed to a number of local and overseas publications as well as agencies



Bongani Mnguni

Review/Law brings you news and views

THIS edition of our quarterly, *Review/Law*, focuses on class actions — the need for a change in our law to allow groups to institute collective actions the way they do, for example, in the United States. The *Review* also provides a wealth of information, news and ideas that is useful to lawyers and those interested in what is happening in our courts and legal profession.

The *Review* is published in conjunction with The Legal Resources Centre (LRC), established 14 years ago to represent individuals and communities who would not otherwise be able to obtain legal advice or enforce their legal rights. It charges no fees.

The focus of the LRC's work is issues which affect a wide community. The spectrum of work includes human rights, land, housing, development, labour matters, current violence, consumer abuse and the abuse of power by public officials. Over the years, the cases taken on by the LRC have affected the lives of millions of South Africans. The LRC works with more than 100 independent community-based advice offices in both urban and rural areas.

The LRC has offices in Cape Town, Durban, Grahamstown, Johannesburg, Port Elizabeth and Pretoria. It is funded by the Legal Resources Trust, which raises donations from the public.

● The next *Review/Law* is being published on August 20.

Contributors should contact the editor, Carmel Rickard, at (031) 202-6575.

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in
Review/Law

Goldstone's punch falls short

Despite strong evidence, a report by the Goldstone Commission reserves judgment on the involvement of the security forces in a 'third force'

By **STEPHEN LAUFER**

THE Goldstone Commission has issued a major report on security force involvement in violence reaching back to 1986, confirming a series of exposures first carried in *The Weekly Mail* last year.

But despite strong evidence, the 40-page report — sent to President FW de Klerk at the beginning of June and released by his office only on Wednesday — stops short of confirming the systematic establishment of a "third force" by kwaZulu Police (KZP), Military Intelligence and certain South African Police units.

The report includes the following findings on the creation and training of an Inkatha squad by the South African Defence Force

- 200 young Inkatha members were trained by the South African Defence Force in the Caprivi strip in 1986.

- The project was funded by the SADF's Department of Military Intelligence (DMI) out of a secret defence budget account.

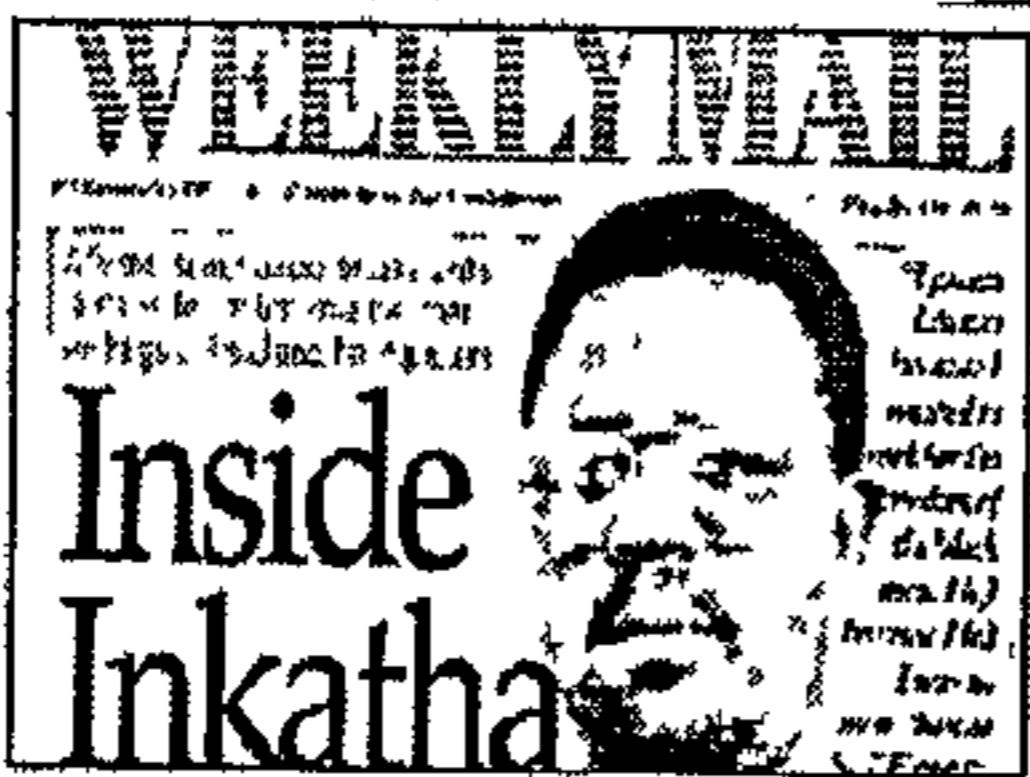
- DMI continued to pick up the salary tab for the 200 men until June 1989, when they were formally incorporated into the KZP.

- The men were recruited by MZ Khumalo, at the time personal assistant to kwaZulu chief minister Mangosuthu Buthelezi.

- Buthelezi, also minister of police at the time, was aware they were being trained by the SADF.

- Recruits were trained in the use of AK47, G3 and Uzi automatic weapons, Tokarev pistols and RPG7 rocket launchers. They were instructed in urban guerrilla warfare, including the demolition of buildings and attacks with handgrenades and smoke devices.

- A "Mr Anthony" taught them how to interrogate captured persons using both violent and aggressive methods



Two editions of *The Weekly Mail* that exposed security force involvement in a 'third force'

and gentle or protective approaches. They were taught surveillance techniques and how to abduct people.

- Lectures were given on the African National Congress as the enemy of Inkatha and the kwaZulu government.

In criticising the manner in which the SADF and the KZP responded to allegations by former Caprivi strip trainees, the Goldstone report inadvertently points to weaknesses in the commission's own investigation.

Judge Goldstone calls "the inability of the KZP to produce a single file concerning the training or subsequent deployment of the trainees" and the "inability of the SADF to produce a single document concerning the training of or subsequent financial support" for the trainees "particularly unsatisfactory". But he does not say why the commission did not use its authority to seize the relevant documentation.

This would have been crucial because the commission accepted claims by the KZP and the South African security forces that the vast majority of the trainees had been idle

ever since returning from the Caprivi.

As a result, the commission failed to establish a direct link between the training of the 200 Inkatha men in the Caprivi with an upsurge of violence in places as far apart as Howick, Pietermaritzburg and Ermelo in the eastern Transvaal — despite evidence that members of the unit had been in all of those places immediately prior to or during bloody conflicts.

Says the commission report "Although certain Caprivi trainees may be involved in some current acts of violence there is no evidence to suggest that such involvement was a direct result of the training they received in the Caprivi." This finding appears to disregard several detailed submissions to the commission during its 32 days of hearings in Cape Town and Pretoria between February and September last year.

For one, evidence was given by Caprivi trainee Vela Mchunu that he was hidden by KZP captain Langem at the back of MZ Khumalo's shop after a magistrate's finding that he had been involved in the murder of three ANC-

aligned trade unionists in Howick. He also said that he was later hidden by the Caprivi group's "commissar", Daluxolo Luthuli.

The Goldstone commission boils this down to "Vela Mchunu one of the trainees testified that he was involved in certain acts of violence." And the report comments it "can however not find that he committed those acts as a direct consequence of his training at the Caprivi."

Relying on the statement of a "Mr C", the commission finds "there is no evidence at all to suggest that the SADF provided the training for the purpose of hit squads being established."

No mention is made of Kombis bought for the use of people allegedly doing nothing, nor of several detailed submissions by Mchunu and others. He told the commission of deployment of the group by Luthuli, who would take recruits to Ulundi to be paid and who picked him up in Hammarsdale in Natal, a violence-torn area, whenever "he needed me".

Luthuli on several occasions assembled a group of Caprivi graduates in

Commission praises WM

W/M Mail 25/6-1/7/93
Weekly Mail Reporter

THE WEEKLY MAIL was praised by the Goldstone commission in its latest report on the training of Inkatha members by the SADF in the Caprivi strip.

Under the heading "The Conduct of *The Weekly Mail*", the commission writes: "The *Weekly Mail* was justified in publishing much of the information given to it by Mbonani Khumalo," the former Inkatha youth brigade leader who exposed the Caprivi training of IFP members by South African Military Intelligence.

"The South African public," says the report, "was entitled to be informed for two reasons. In the first place, it was furnished by a senior member of the IFP. In the second place the allegations in themselves were such that there was a public interest in the information."

While hounding at critical differences between the use of English by journalists and jurists, the commission nevertheless praises the newspaper's commitment to press freedom:

"The *Weekly Mail* did make some extravagant allegations which went further than was justified by the facts relied upon. However, it did not in any way abuse the freedom of the press which is a fundamental right in any democracy."

Hammarsdale and gave them instructions. The instructions were confidential, each receiving his orders without the others hearing.

Apparently not wanting to let the security forces off the hook completely, the commission suggests that perceptions of their involvement in the systematic generation of violence in recent years are not entirely unfounded. "The nature of some of the training, the secrecy of the project, the lack of candour when the truth began to emerge and the connection of trainees with acts of public violence, all continue to fuel the perception that the SADF was assisting KZP and IFP leaders build a private hit squad facility for use against the UDF and later the ANC."

Turning to the link between some Caprivi graduates and violence by a gang calling itself the Black Cats in the eastern Transvaal township of Wessels, near Ermelo — first reported by *The Weekly Mail* — the Goldstone report finds that

- The Black Cats were a criminal group involved in the violence in Wessels who became members of Inkatha.

- They received training in kwaZulu after their homes were burnt.

- There was no evidence that MI was involved in their training.

- Members of the KZP, trained in the Caprivi, visited the Black Cats in Wessels, but it was not established that they were involved in any criminal activities themselves during these visits.

- Members of the Black Cats bombed the house of a human rights lawyer in Wessels.

- Statements directly implicating gunmen from kwaZulu as having been responsible for opening fire in August 1990 on mourners at the funeral of an ANC member killed by the Black Cats were left out of SAP dockets handed to the prosecutor.

Once again, the commission is equivocal in its findings regarding security force connivance in the spiralling violence. And it scrupulously avoids the conclusion that the kwaZulu links of the Black Cats could indicate the existence of a strategy of violence generation involving Inkatha, the KZP, the SADF and the SAP.

But the report does say "there was every justification for the perception by many people that the SAP were working with the 'Black Cats'." At best for the SAP, ineffective and inefficient policing created the justifiable perception of such complicity in the minds of many members of the Wessels community."

Ultimately, the commission's report leaves final judgment on the existence of a state-backed Inkatha/SADF/SAP third force to others, although it hints at such a force as it expresses concern at "the perceptions which are created by current events viewed against the background of conduct which may have occurred prior to February 2 1990."

No better example can be found than the training of the Caprivi trainees and certain criminal conduct committed by them since their return from Caprivi. "Whether there is a direct link or not is irrelevant to the conclusions which many people will draw or the perceptions which will be created."

Think of it as Nostradamus with evidence.

Finance Week

FORUM ON THE ROLE AND FUNCTION OF PSYCHOLOGY IN A NEW SOUTH AFRICA 3 AND 4 SEPTEMBER 1993



A Forum is to be held on 3 and 4 September 1993 to address urgent issues regarding the Role and Function of Psychology in a New South Africa

The Forum will be a working Forum and participants will form part of the process of formulating recommendations for the Role and Functions of Psychology in a Future South Africa

All interested organisations or parties can apply to attend. If you are interested to attend please submit your application before 9 July 1993 to the following:

The Credentials Committee
Forum on Psychology
Private Bag 29356
SUNNYSIDE, 0132

Estelle du Plessis or Adriaan Woudstra
Tel: (012) 341-4313
Fax: (012) 341-0510

Please indicate clearly your link with or interest in Psychology as this will be used as a guideline for the issuing of invitations

...by parents. ...decided on in the near future.

Free airwaves could hurt small ad agencies

B/Day 29/6/93

KELVIN BROWN

THE deregulation of broadcasting in SA could put small advertising agencies out of business, says SABC group finance GM Steven Schubach. (243)

Speaking at the Sentech broadcasting conference last week, he said agencies would have to spend much more on research and media planning with more local and regional radio and TV stations on the cards. (243)

SABC research had indicated the number of new private radio stations could be as high as 34

"Smaller ad agencies won't be able to afford these higher costs and will be forced out of business, or to merge with other ad agencies," said Schubach.

Deregulation would also cause a fierce advertising rates war, as the advertising cake was unlikely to grow in the current economic environment.

Growth in total adspend had been slowing down since 1991 because of the recession. Growth in gross adspend was expected to slow to about 18% this year from 20,6% last year.

Schubach said the SABC estimated growth in total adspend would be slightly higher next year because of the elections.

But in 1995 growth should again slow down to 17,6%.

With more radio and TV stations planned, there would also be a significant shift in adspend away from print media to electronic media, predicted Schubach.

In line with trends in other countries, print's share of the advertising cake had fallen from 63,2% in 1980 to 45,3% last year. Over the same period, radio and TV's share expanded from 31,1% to 49,7%.

Meanwhile, Home Affairs Minister Dame Schutte told the conference he expected the first licences for private radio and TV stations to be awarded before the end of the year. (243)

The department had received 100 applications.

These would be forwarded to the Independent Broadcasting Authority (IBA), expected to be set up by October.

The IBA would take over the function of regulating and awarding licences once the new Broadcasting Bill had passed into law during the special session of Parliament in September.



Argus profits curbed: 'torrid' trading seen

□ Dividend maintained as earnings edge up

STEPHEN CRANSTON

JOHANNESBURG — Reduced advertising volumes, thinner printing margins and lower discretionary spending restricted the increase in Argus Holdings' earnings to a modest 4,8 percent in the year to the end of March.

Profits were also dented by a R5,2 million increase in the interest bill to R11,1 million

Turnover rose by 14 percent to R1,6 billion and net profit improved by R4,3 million to R94 million

Earnings a share edged up 7c to 220c and the dividend was maintained at 55c

After a 5,5 percent improvement in the first half, second-half earnings rose by 4,3 percent

Group chief executive Mr Doug Band said there was a change in the composition of the results in the two half-year periods, with 37 percent-held TML performing below expectations, reporting a 23 percent fall in second-half earnings after a 16 percent improvement in the first half

Argus Newspapers, which saw growth fall from 9,5 to 6,8 percent for the full year, and CTP, which maintained an 8 percent improvement in earnings, were in line with expectations

M-Net turned a 17 percent fall into a 2 percent improvement

CNA Gallo's 1 percent advance represented a good turnaround on the 4 percent dip at half-time

Mr Band said the performance was satisfactory in the current trading environment

Argus Newspapers was operating off a high base, as the previous year's revenues were bolstered by advertising for the March referendum and substantial spending by the premium rate telephone industry, which fell sharply from June and had ended by December

Nevertheless, The Star achieved real growth in revenue from special supplements, which would be bol-

(243) ARCT 29/6/93

stered in this financial year if the Appeal Court upheld the decision to allow Argus Newspapers to publish targeted regional supplements

On a cautionary note, in spite of a buoyant first quarter in the year under review, advertising volumes fell across the board. The Pretoria and Cape Town markets were particularly lacklustre, he said. Circulation, hit by many stayaways, began to lift towards the end of the 12-month period.

Mr Band said that while newspapers might be mature products, they still had considerable penetration potential

"Print will flourish as long as it is smart and aggressive. We need to convince advertisers our publications must form part of their media schedules."

Argus no longer consolidated its interest in Afmed, which held Caxton and CTP

This followed the withdrawal by its co-shareholders of its right to appoint most of the directors to the board — a withdrawal no doubt hastened by the court case between Argus and Caxton over the right to publish regional newspapers

Argus had no immediate plans to sell its Afmed holding, but this could form part of the unbundling of its interests in the print media

Mr Band said Argus was still committed to addressing the over-concentration of the print media, but it had no plans to unbundle CNA Gallo or its 18 percent holding in M-Net

The Argus balance sheet was further strengthened by a renewed emphasis on cash and asset management, resulting in net gearing reducing from 10 to 6 percent

Net current assets fell from R30,2 million to R18,9 million, in spite of cash holdings rising from R32,4 million to R47,9 million

Reviewing prospects, Mr Band said the resumption of a real growth trend depended on interwoven and political factors. Trading conditions in the first quarter of the current year had proved "torrid" and the group would do well to maintain earnings this year

● Comparative figures for the year ended March, 1992, have been restated to reflect equity accounting changes

Alternative press Star 30/6/93 oozes optimism

By Shirley Woodgate

Despite the downturn in the economy, the alternative newspapers are cautiously optimistic about their future, successfully adjusting their content and funding as the new South Africa emerges.

Circulation of the eight-year-old Weekly Mail was growing steadily and advertising revenue was healthy in a difficult climate where the market was shrinking, co-editor Irwin Manom said. (243)

In March, sales and marketing director Marilyn Kirkwood reported a 69 percent increase in advertising revenue and a 30 percent increase in readership (to about 30 000) since May 1992, when the paper first started publishing the Guardian Weekly as well.

Other money-making schemes included the sale of 43 percent of the South African alternative to the London-based Guardian, and a new look for the paper.

Max du Preez's Vrye Weekblad adopted a new bi-monthly magazine format and pushed up the Afrikaans content,

aiming to capture a bigger slice of the language group where research had shown the paper's market lay, said associate editor Martie Meiring.

New Nation, launched by the Catholic Bishops' Conference in 1986 under the editorship of Zwelakhe Sisulu as the first of the "alternatives" to hit the South African market, had always boasted a lean staff complement, said deputy editor Gabu Tugwana.

The newspaper lost its EC funding two years after the unbanning of political organisations, but countered the loss by imaginative management and seeking new advertising revenue.

Circulation was down, but Tugwana was confident political change would boost readership.

The editor of the Conservative Party mouthpiece, Patriot, Jaap Theron, said funding had never been a problem since the newspaper drew on income from a substantial trust fund of several million rands.

He said the newspaper had recently switched to more modern methods and this had led to loss of jobs for a couple of staff.

Crossroads paper spreads news of hope

South 26/6 - 30/6/93

243

By Edwina Booysen

REPAIRING the shattered community of Crossroads is the aim of a new newspaper being distributed in the squatter camp.

The newspaper, called "Crossroads - Action for Peace and Justice", hopes to repair the breakdown of communications within the community. It is published by the Western Cape Regional Peace Committee (WCRPC).

In the past few months conflict in Crossroads has claimed at least 41 lives, involved more than 100 armed attacks and left at least 105 families homeless.

Chairperson of the WCRPC, Professor Jaap Durand, said that to bring healing to Crossroads and build a true community the process that leads to peace and justice needs to be transparent.

"This publication is for the people of Crossroads - all the people. Should the community wish this publishing initiative to continue we would like to know that," Durand said.

"With enough interest and support we will facilitate the creation of constructive communication channels."

Published in two languages, English and Xhosa, articles in the paper detail the ongoing conflict in Crossroads.

According to "Crossroads", the community does not trust the police. Among the reasons stated for this was that "police are not impartial when they react and/or respond during incidents of violence".

The paper also alleges that police "seem reluctant" to go into the area during times of trouble "Cross-

roads" says residents have language and communication problems, caused by the fact that "most, if not all officers they have to deal with" are white or coloured.

In response to the allegations, a spokesperson for the South African Police, Colonel Leonard Knipe, said police were also traumatised by the violence.

Apart from informative articles detailing the history of the conflict and development initiatives in the area, "Crossroads" also features advertisements by the majority of the organisations negotiating for peace in the area.

Among these are the ANC, the South African National Civic Organisation, the Western Cape United Squatters Association, the Network of Independent Monitors and the Trauma Centre for Victims of Violence and Torture.

SBDC gives *Star 2016/193* boost to arts, crafts

The Small Business Development Corporation and Arts and Crafts magazine have joined forces to promote business entrepreneurship among South Africa's artists and craftsmen. (20)

The SBDC said yesterday the campaign aimed to develop business skills in the arts and crafts community as well as to promote the work of artists and craftsmen both locally and overseas. (243)

The autumn edition of Arts and Crafts magazine, currently on sale at book stores around the country, is the first to be published since the launch of the joint campaign.

The magazine introduces a new marketing venture — Buzz Exporters Club of South Africa (BECSA) — which incorporates overseas warehousing which would make South African exports readily available to American retailers and wholesalers.

It also contains information on how to learn to improve arts and crafts.— Sapa.

FM 2/7/93 (243) (155)

particularly after the recent court dispute (won by Argus) with CTP major shareholder Caxton over the *The Star's* distributing local

GUARDED

Year to March 31	1992	1993
Turnover (Rbn)	1,45†	1,65
Operating income (Rm) ..	127†	149
Attributable (Rm)	89,7	94,0
Earnings (c)	213	220
Dividends (c)	55	55

† Restated to show effect of Afmed interests being equity accounted rather than consolidated.

ARGUS HOLDINGS (243) (155)

Working at the knitting

For the first time in some years Argus Group's second-half earnings performance has been weaker than the first-half, mainly a reflection of intense pressure on advertising revenue. Management foresaw the second-half decline at the interim, when attributable earnings were up 5,5%, compared with the full year's 4,8% increase. The effect on EPS of reduced advertising volumes was contained to an increase of 3,3% (3,7% at the interim) FM 2/7/93.

The more diversified Argus depends less on advertising than some other newspaper groups, with about a quarter of its turnover from advertising revenue. Still, the managed publications in Argus Newspapers did well to increase their earnings contribution by 6,8%, though that was down from the interim's 9,5%, and compares with an increase of 31,5% in the 1992 year.

CE Doug Band attributes this partly to working at the knitting. "We are very focused on newspaper advertising, and dedicated to the newspaper industry," he says. Volumes were helped by what he calls circulation boosters, like competitions and promotions, which have a cost. Argus also received the full benefit of lower newsprint increases.

Band says he is much happier with the performance of the *Sunday Star*, particularly its increased penetration of the black market. Circulation has climbed from 88 000 when the Sunday paper was relaunched as a tabloid to about 110 000, though it is still losing money.

The *Sowetan* is SA's biggest daily newspaper, with circulation exceeding 300 000 on some days, but Argus is currently divesting about half its interest in it.

Further unbundling seems likely, with the Argus board sensitive to criticism of concentration of ownership of the media. Likely areas where control could be loosened include Argus's 46% stake in CTP Holdings,

news inserts in some editions.

Band has relinquished chairmanship of Caxton, though he remains on the board; Caxton holding company Afmed has withdrawn Argus's entitlement to appoint most of its directors. Argus has changed its accounting practice, the CTP interest now equity accounted rather than consolidated, leading to the restatement of some 1992 figures.

Speculation is that Argus would like to relinquish its 37% stake in Times Media. And there remains the prospect of a separate listing for Argus Newspapers.

Though earnings from 33%-held CNA Gallo were flat in the 1993 year, Argus has budgeted most of its R70,5m capex commitment to expansion in the entertainment and leisure industry, including new cinemas and stores.

At R28, on slightly firmer ratings, the share remains expensive. But the balance sheet is strong — cash holdings of R48m against total borrowings of about R72,7m — and there should be long-term value in the counter.

Shaun Harris

Southbousiness 19

Crafty plan for entrepreneurs

South 3H-7114g

Everybody's BUSINESS

The Small Business Development Corporation announces its latest projects to encourage new entrepreneurs to set up shop:

THE SMALL Business Development Corporation and Arts & Crafts magazine have joined forces to promote business entrepreneurship among South Africa's artists and craftsmen.

The campaign aims to develop business skills in the arts and crafts

community as well as to promote the work of artists and craftsmen, both locally and overseas.

The autumn edition of Arts & Crafts magazine, currently on sale at bookstores, is the first to be published since the launch of the joint campaign.

It introduces a new marketing venture called Beesa (Buzz Exporters Club of South Africa) which incorporates overseas warehousing to make South African products readily available to American retailers and wholesalers.

In addition it contains a wealth of information on how to learn or improve arts and crafts skills as well as marketing other business skills.

Marketing drives and networking opportunities initiated in South Africa include co-operation with

local authorities, tourism groups, flea markets and organisations representing artists and craftspeople.

The SBDC's Dr Ben Vosloo emphasises the vital role that Small and Medium Enterprises (SME) play in igniting South Africa's economic engine.

SBDC research indicates formal and informal SME sectors in South Africa are already employing about six million of South Africa's 14,3 million economically active population and contributes nearly 50 per cent of this country's Gross Domestic Product.

"SME's are flexible and adapt easily to changing market perceptions. They require relatively little capital, can combine simple and advanced technology and as they are generally labour intensive, con-

tribute significantly to job creation," says Vosloo.

The magazine will also be working with the SBDC's six regional offices to focus on facilities and opportunities in each region.

One of the aims is to establish a network that will distribute information on training and marketing to a cross-section of regional communities.

A further aim is to develop closer links with the tourism industry and to introduce marketing ventures such as bus tours to rural craft markets and urban and rural arts and crafts trails.

The magazine also offers advertising and marketing opportunities for artists and craftsmen, as well as for suppliers of tools, equipment and facilities.



BOOST: The SBDC and Arts & Crafts magazine are promoting arts and crafts among small business-people



Mom's advice on policemen doesn't hold

Star 317193

KEN VERNON, Deputy Editor

WHEN you were young, your mom always said that if you were in trouble you should find a policeman. That advice seems to have gone out of currency.

This week, in the small Free State town of Koppies, when police were called on to render assistance to journalists and legal marchers the most they offered was a shrug of the shoulders.

They stood by and watched rightwingers set up burning barricades across public roads. They stood idly and watched journalists — including a young woman — abused, threatened and assaulted.

They watched rightwingers throw a barrage of stones at buses transporting blacks out of KwaKwatsi township — supposedly under police escort.

One journalist, after having been assaulted within metres of the policemen, speculated that SAP stood for Standing About Passively.

Sunday Tribune journalist Brendan Seery was confronted by a dozen rightwingers, who snatched his notebook and burnt it before punching and kicking him. Similar treatment was meted out to me. A young woman reporter on exchange from America was abused and narrowly missed being hit.

Tried to escape

A team of black journalists from City Press, who were trapped inside the besieged township, asked for a police escort out of the area, but the police were told by rightwingers manning barricades that they would not allow them to pass — and there was nothing, said police in the armoured vehicle, they could do. Orders, it appears, are orders — no matter from whence they come. ~~(SAP)~~ ~~(SAP)~~

I was confronted by about 10 rightwingers within 10 m of dozens of heavily armed police. I was told to leave the area. Then attempts were made to steal my camera, and when I tried to escape to the police, I was assaulted and physically removed.

The police watched without flinching. **(243)**

Then I remembered my mom's advice and I went looking for a policeman — a policeman who wasn't looking at me getting beaten that is — and found Colonel Gert Nel, who with two armed rightwingers was sitting at an abandoned roadblock.

I told him of the attacks on journalists and asked, like a good boy, for assistance. The colonel looked concerned, but said he couldn't help.

"But it's your duty," I replied. The colonel looked even more concerned, but was adamant. Look elsewhere, other than to the South African Police, for help, he suggested. Or even better, he said, maybe I should do what the rightwingers demanded and leave the area.

"But I need to do my job," I pleaded. The colonel looked still more concerned, but could only shrug his shoulders.



Farewell to an ageing song-and-dance man

(243)

4/7/93

£ Sunday Times

THIS column, which has been published with passable regularity in several South African newspapers since 1969, will in future appear only at irregular intervals. The double burden of acting as an all-purpose commentator while editing the country's biggest newspaper has become a strain on my health

Few journalists are able to sustain the unrelenting pressure of writing a regular newspaper column, year in year out, without lapsing into banality, or depravity, or tired old jokes, fewer can do so while editing a major newspaper

I am no exception; to relinquish the task is an immense relief

Besides, if I may indulge in nostalgia, the major purposes of the column have been fulfilled, or have been overtaken by events. In 1986, when I mentioned to one of the country's most influential businessmen that I proposed to try to rehabilitate the then-pejorative word "liberal", as the neo-conservatives in the United States had managed, deliberately, to rehabilitate the word "capitalist", he was deeply sceptical

"I think I see what you are driving at," he said, "but my advice is to find another word" The advice was kindly meant but, inspired by a series of seminal lectures on liberalism delivered at UCT by Professor Charles Simkins, I stuck stubbornly to "liberal"

At that time, even liberals thought of themselves as wets, as sentimental and ineffectual, as limp-wristed, and usually as being too fearful to join in the jolly business of burning people for freedom Socialists, brandishing real or verbal AK-47s, lorded it over them with displays of machismo.

Today, every second person (including, I think, the sceptical businessman) openly calls himself "liberal" Nadine Gordimer's taunt that liberalism on the campuses was as dead as the dodo has given way to the counter-taunt that socialism flourishes only in backward corners of the world like South Africa

ANC leaders confess openly to courting not only liberal democrats but what they call "conservative liberals" and even that austere communist Jeremy

Cronin lauds the profit motive (at least when it occurs in China).

To make these observations is not to claim the credit for a mere newspaper column, to do so would be absurd But I think it fair to say that, in writing the column, I did discern correctly the tide of events, and even in this I was guided by Simkins's argument that the value systems of most South African communities, whatever their ethnic character, are rooted in liberalism (The ANC's strongest instinct, even at the height of its revolutionary posturing, has always been to go to court)

More to the point, liberalism, the weakest of South African political organisations, has triumphed Liberals have been prominent and productive in the technical committees where the real work of constitution-making is done, and we seem to be securing a constitution very similar to Germany's. With luck, we shall even have a constitutional court which will put the task of defending liberty beyond the reach of strict constructionist or legislatively-inclined judges

IN character, this column has been provocative — unusually so in a country where conformism is highly valued, and where newspapers fill acres of space with worthy explication that, I suspect, washes over the readers without leaving any trace In this, it differed sharply from its predecessor, written under the pseudonym of Tantalus in the Sunday Express, which was sheer, irreverent fun

This, too, had a purpose to give Business Day, then a faltering, insipid trade paper, a sharper identity — to make it controversial and talked-about, and to engage its readers in public debate The effect of robust debate was noted by editors around the country, and the column was soon being published elsewhere, creating for itself a national readership

When I moved to the Sunday Times, it made sense to try to take that readership with me, and the column was the instrument of enticing them into a newspaper which many did not then read That function of the column has

now been overtaken by other changes at the Sunday Times

The newspaper has acquired a stable of outstanding young journalists who are perfectly capable of dealing intelligently with the sort of issues that formed the mainstay of the column — politics, reform, legal matters, constitution-making, and eclectic book reviews The political editor, Mike Robertson, is more completely on top of political developments than I, the political correspondent, Edyth Bulbring, is much closer to the major political leaders than I have been for years

Carmel Rickard is academically qualified to handle any legal matter with skill and lucidity; Claire Robertson has a gifted writer's eye for detail which, combined with extensive international experience as a journalist, enables her to bring the South African transition to life.

The newspaper's book reviews are, I do believe, among the best published in this country, and the news reporting improves almost by the week There is much less need for a one-man show

FINALLY, new challenges have arisen for newspapers, as for all our institutions The changes that await us in the next few years will, I am sure, be much greater than the changes we have experienced since 1990 The constitution is mere preparation for change, ahead lies the task of making the system work

The institutions that adapt, correctly and at the proper pace, will survive, those that cannot adapt have a bleak future This is as true of newspapers as of any other institution, and I note with a touch of alarm the shots which various leaders, including ANC members who believe in a free press, are firing across the bows of the press — essentially for poor performance.

This newspaper needs careful guidance and firm editing much more than it needs either a liberal propagandist or an ageing song-and-dance man It is to this task, rather than to entertainment, that my energies must be devoted

KEN OWEN

Broadcast bill angers TV and film makers

By JAMES BRITTAIN

ANGRY independent film and television professionals say they have not been properly consulted about proposals for a new Independent Broadcasting Authority.

A draft bill for the authority — due to be ratified by the government in September — was made public 12 days ago on June 22.

The bill provides for the formation of a broadcasting regulator for the period before the first national elections.

But South African Film Makers' Association vice-chairman Ken Mackenzie said the draft had been drawn up without proper consultation.

Mr Mackenzie, whose organisation represents more than half of the country's film and television entrepreneurs — said the deadline for objections was tomorrow, but he had demanded an extension.

"I only received a copy of the draft on Thursday. From a brief read there are a

number of points of concern, particularly those that deal with the allocation of frequencies and licences," he said.

"Smaller companies must have a say in the formation of the authority."

Mr Mackenzie said members were forming an association of community broadcasters — which the IBA was largely designed to control.

The new bill is the brainchild of a group appointed by delegates at the multi-party

negotiating forum.

But the group was advised by steering committees from seven other independent organisations, excluding the TVA and the SAFMA.

South African Film and Television Institute chairman Carl Fisher, whose organisation participated in discussions with the group, believed the bill was a fair draft.

"It was the result of a lengthy process with wide consultation," he said



Fellowship at Wits for journalists

Star 6/7/93
Staff Reporter

A fellowship for journalists to study at the University of the Witwatersrand was announced at the first anniversary of the Institute for the Advancement of Journalism in Johannesburg last night. (243)

Institute director Allister Sparks said the fellowship for eight journalists from Southern Africa to study for a year was "the most important (journalistic) programme launched inside South Africa."

He said it would "do a tremendous amount to uplift journalism in South Africa."

In the year of its existence the institute had run 13 print and three radio courses for more than 200 journalists from six countries. The first television course was scheduled for September. 54

He said the institute also aimed to inculcate into young readers a clear idea of what newspapers did. To that end 50 township pupils are attending a two-day course on how to put newspapers together.

Big changes planned for The Weekly Mail

KELVIN BROWN

THE Weekly Mail will change its name to Weekly Mail and Guardian at the end of the month. This is one of several changes to be implemented on July 30.

The changes follow the Guardian Weekly's decision to buy a 34% share in the Weekly Mail.

The Guardian Weekly and Weekly Mail will no longer be published in two distinct sections.

The Guardian Weekly decided to take a share in the Weekly Mail because of the success of its inclusion in the main body of the Weekly Mail in May last year, said the Weekly Mail advertising and marketing manager Marilyn Kirkwood.

Sales had increased 30% and advertising revenue by 69% since then.

A survey indicated that 25% of respondents began buying the Weekly Mail because of the introduction of the Guardian.

"As SA re-engages with the world and our readers increase their international business and travel, we expect a growing interest in foreign issues provided by the Guardian Weekly," said Kirkwood.

The changes would also significantly increase available advertising space.

The Guardian Weekly's stake in the Weekly Mail would provide the cash it needed to market itself, said Kirkwood. A new campaign was being devised by agency BBC Nash using radio and billboards.

The new newspaper was a lucrative market for advertisers, said Kirkwood.

The partnership with the Guardian had a dramatic effect on readership profile, said Kirkwood. "The Guardian Weekly helped to shift our readership base further off the universities into commerce."

The survey found that 49% of readers earned more than R8 000 a month while 15% had a monthly household income in excess of R15 000. Most readers were white males (53%), in the 30-40 age group, had degrees (73%) and were professionals or executives (43%).

Cameraman called a spy

Star 7/1/93

By Charmeela Bhagwat
Crime Reporter

Accused of being an "ANC spy", Sowetan photographer Mbuzeni Zulu was nabbed by hostel dwellers on the East Rand yesterday and held hostage for more than two hours.

Zulu (40) has been kidnapped and threatened with death twice before.

He says he will return to the violence-ravaged townships of Katlehong and Tokoza to "do my work properly".

He admitted to being scared, saying conditions facing journalists in townships were worse than ever. He has photographed township violence for 10 years and has worked for the Sowetan for the past nine.

He went to Katlehong yesterday with Sowetan reporter Joe Mdhlela and editorial driver Vusi Zwane to do a feature on violence in the area.

He said a group of "ANC youths" manning a barricade of rocks



Mbuzeni Zulu . . . held hostage in Katlehong.

(243) stopped them as they neared the hostel, but "we told them we were from the press and they let us through".

"We saw a group of about 300 people from the hostel marching towards Kwesini. In front of them was an army casspir," said Zulu.

"I wanted to get some pictures. But Joe did not want to go closer, so I said I would go in with Vusi."

Zulu said that they

drove away, dropped Mdhlela off and then returned for the pictures. But the angry marchers nabbed Zulu and accused him of being an "ANC spy". And when he told them Mdhlela was scared of getting close to the hostel, they asked if Mdhlela was Xhosa speaking.

"They told me to stand there with them and ordered Vusi to fetch Joe." Zwane did not return with Mdhlela and Zulu says he had to persuade a hostel leader to understand he was a journalist and that he was not there to "take sides". He said he was eventually allowed to leave the township.

Zulu said that in 1990 he was kidnapped by Inkatha members at the Mzimhlope Hostel and in 1991 he was held hostage by Inkatha members at a soccer stadium.

His kidnapping yesterday prompted an angry response from the Media Workers Association of South Africa.

NEWS Journalists in close encounter with IFP

Close brush with death at hostel

Sowetan 7/7/93

By Musa Zondi

■ **SPY CLAIM** Photographer Mbuzeni Zulu

SOWETAN photographer Mbuzeni Zulu is no stranger to danger. He has twice had brushes with Inkatha Freedom Party supporters but in all these instances "I have never been this close to death"

In the third encounter yesterday, Zulu was held hostage at the Kwesine Hostel in Katlehong by members of the IFP who accused him of being an ANC spy (243)

It all started when Zulu and two colleagues, driver Vusi Zwane and reporter Joe Mdhlela, approached a group near the hostel

Mdhlela told the driver not to go to the hostel but Zulu said they should go and see what was happening. Mdhlela then bolted out of the car and ran. The two proceeded to the group.

held hostage by angry IFP supporters:

"I asked them if I could take pictures and was immediately surrounded by the group who asked about Mdhlela. They said they had seen our car several times and we were spies for ANC. They also accused us of hiding some of the people who were going to attack them later," said Zulu.

He tried to explain that they were journalists "but no one wanted to listen" (243)

They said newspapers were making fun of them while they were dying

"I would like to think of myself as pretty brave but today it was a completely different story. They said they wanted to see the other journalist

who had run away, insisting he was a Xhosa "

Just when he had given up all hope an IFP leader arrived and pleaded with the group to let Zulu go. "But he had to struggle before they let me go." Zulu was kidnapped twice in 1991 — at the Mzimhlophe and George Goch hostels. Transvaal IFP leader Mr Themba Khoza said they condemned Zulu's harassment. "I wish to make a personal apology to him (Zulu), his family and Sowetan. I can imagine the fear he went through," he said. Sowetan had also contacted the police, who sent their men to the hostel but found Zulu had already been released.

Photographer held by hostel dwellers

JOHANNESBURG — Sowetan newspaper photographer Mbuzeni Zulu, held hostage by Katlehong Kwesini hostel dwellers for about 2½ hours yesterday, was released by his captors shortly before 3pm.

Sowetan acting news editor Matata Tsedu, said Zulu, 40, was released after IFP indunas had gone to the hostel to ask for his release.

The photographer and a reporter had been on assignment in Katlehong when he was taken prisoner. He was unhurt and reported to be on his way back to his office.

Tsedu said Zulu, with reporter, Joe Mdhlela, and their driver, were on

assignment in the East Rand township when the photographer was overpowered by hostel residents.

When the incident occurred Mdhlela was not in sight of his colleague, but when he returned to the car Mdhlela was told by the driver the photographer had been kidnapped.

The kidnappers had left a message with the driver saying Mdhlela was to go into the hostel as well. He declined.

The incident was reported to IFP officials and the police, Tsedu said.

The Media Workers Association of SA said it deplored the kidnapping and called for an end to assaults on press freedom — Sapa

US journalist shocked at hatred

Star 21/7/93

(243)

By Charmeela Bhagawat



Kris Mayes . . . Important that attitudes change

American journalism student Kris Mayes, who has been writing for *The Star* for three weeks, admits her visit to South Africa has been a rude awakening.

Mayes (21) says she did not expect to find "so much obvious segregation and confrontation between races" nor did she expect "to see violence and hatred among whites".

In her first week in South Africa she was harassed by white rightwingers at the World Trade Centre when they invaded the Negotiating Forum and sent delegates running for cover.

The following week, in Koppies in the Free State, she was abused and forced back into her car by angry rightwingers who were bent on preventing journalists covering the story.

White Koppies residents, enraged at the torching of a farmstead by ANC demonstrators last Thursday, took matters into their own hands, erecting burning tyre barricades and hurling rocks at passing buses.

"As a young American journalism student, I found that the most shocking aspect of Thursday's confrontation was not the sight of burning rubber, the brandishing of weapons by the farmers of Koppies or even the heated tension that permeated the atmosphere, but rather the apathy of police that day," said

Mayes

Despite an impressive police presence in the small northern Free State town, precious little was done to control the right-wing vigilantes and to protect journalists and township residents from them.

"In fact, by the end of the day, we found large numbers of security force members braaing with the local rightwingers in their makeshift operation centre. To me it looked as though the fox was guarding the chicken coop," she said.

Prior to the march, members of the town had set up barricades to protest against an ANC-led consumer boycott of the small town, and the march was meant as a counter-measure to the barricade action.

Mayes said she watched in disbelief as at least 100 police and a battalion of soldiers watched the farmers take charge. She said her pleas to them to do something fell on deaf ears.

Although similar allegations of police and army inaction were published in the Saturday *Star*, the police have not responded. An SADF spokesman said the allegations were being investigated and a "full, responsible" response would be made.

Mayes said the fury of white radicals would shock any American, most of whom, like herself, have become accustomed to seeing clichéd images of township violence in the US media.

"We get such a nicely pack-

aged picture of South African problems in the States, but when you see it up close and in person that picture becomes much more complex.

"The world has got to stop believing that apartheid is only a legal problem — it's really a problem of attitudes."

For Mayes, the entrenched attitudes of the far Right became evident in Koppies last week. "Those who would speak to me talked with one hand on their pistols. They were angry, and they had blood on their minds," she said.

Mayes worked alongside Saturday *Star* deputy editor Ken Vernon. She said the experience seemed more like something more fit for a Hollywood movie than real life.

Weekly Mail Reporter

The Weekly Mail's readers are mostly well-educated professionals and executives who lead frenzied lives of financial, political, cultural and social activity

The results of the newspaper's 1993 reader survey show an unusual profile of active and influential readers

The research was conducted by an independent organisation, the Community Agency for Social Enquiry (Case), under Professor Mark Orkin, and based on three separate surveys — a full-page questionnaire in the newspaper, a point-of-sale survey in major cities and a small survey of non-buyers. Altogether, the opinions of over 1 100 readers were taken into account

The survey pointed to the success of *The Weekly Mail's* partnership with *The Guardian Weekly*. Twenty-five percent of respondents said they had started buying the paper because of the inclusion of *The Guardian* — and all but three percent of these are now regular readers of both papers

It also highlighted the success of the paper's monthly supplements: 80 percent read *Review/Books*, 63 percent, *Africa South & East*, 56 percent, *Review/Education*, and 46 percent, *PCReview*

They are extraordinarily dedicated readers: 92 percent claim to read the paper every week, and spend an average of four hours each week reading the combined product

Seventy-eight percent of them are professionals or executives, 60 percent in employment, 20 percent self-employed, five percent students and an intriguing two percent who describe themselves as "of independent means".

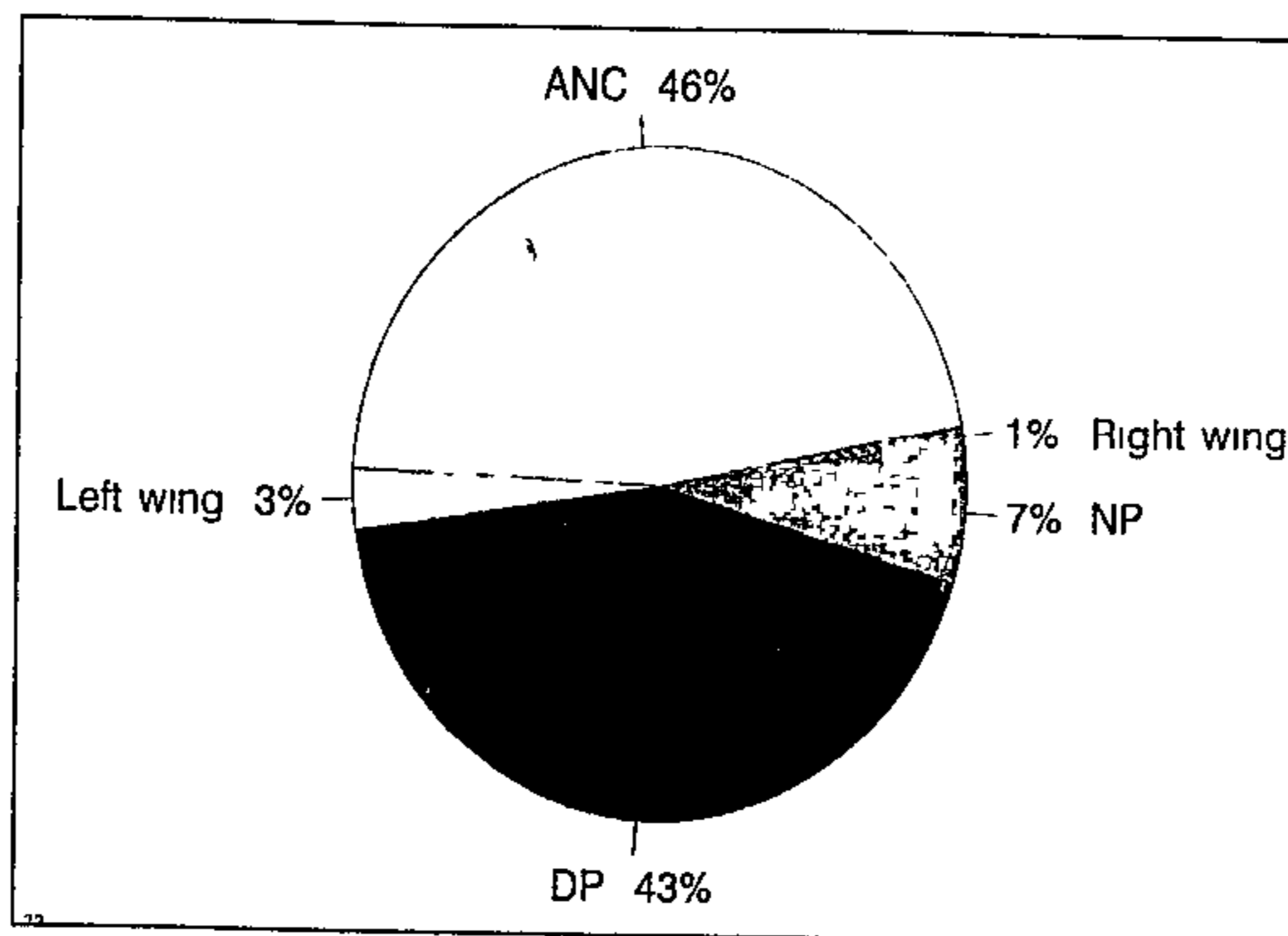
Seventy-three percent have at least one university degree, and 45 percent have a post-graduate degree

Race is hard to pin down, because of the reticence of many respondents, but Case's best estimate is that 30 to 35 percent of our readers are black. Sixty-six percent are male

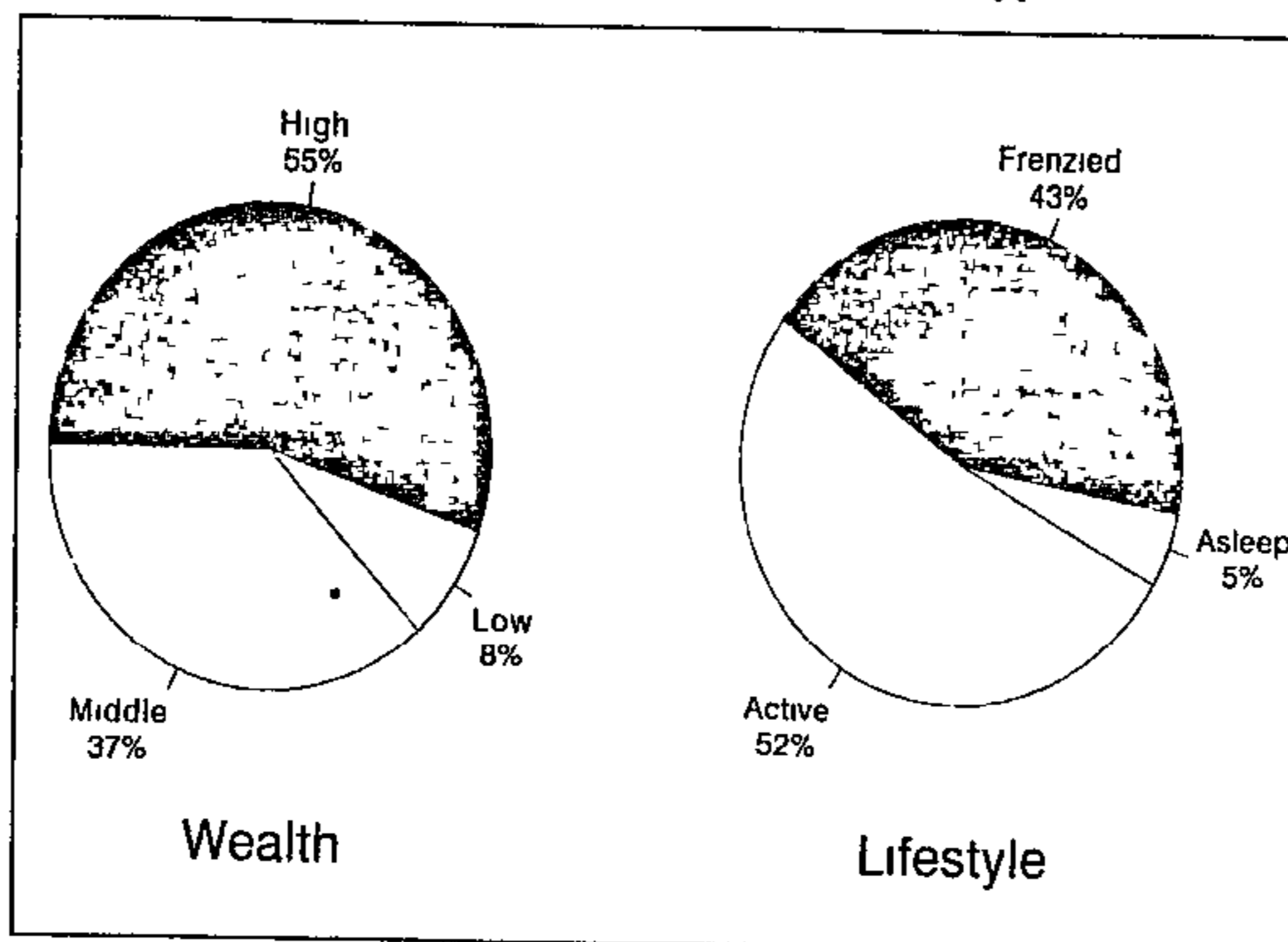
Many are well-heeled: 23 percent have a monthly household income of R5 000 to R8 000; 12 percent between R8 000 and R10 000, 16 percent between R10 000 and R15 000, and an

Profile of a Weekly Mail reader: ⁽²⁴³⁾ Busy, busy, busy...

W/M and 9/7-15/7/93.



A breakdown of which political parties WM readers support



The frenzied lifestyle of WM readers

astounding 19 percent of households earn over R15 000

When these income figures are checked against race and gender, they produce some fascinating demographics. An intriguing detail is the new group of very well-heeled black read-

ers while average earnings of black readers lag well behind white readers, there is a surge in the graph of black readers in the R15 000 a month or more category (about eight percent)

And our women readers are often better educated than the men, though

they still earn less. Women dominate the categories of earners of R3 000 to R8 000 and R10 000 to R15 000, but lag far behind in the highest category of more than R15 000.

But over 50 percent have postgraduate degrees. This probably reflects the fact that our women readers, hitting a glass ceiling in the corporate world, are spending more time upping their qualifications in order to follow professional rather than commercial career paths

Our readers' apparent hyperactivity does not stop at earning money. An overwhelming number belong to an organisation of some form (civic, religious, sport, political, women's, etc) and 40 percent hold office — showing a remarkable level of influence in civil society

And this activity carries into their social lives: 69 percent went to a movie in a given month, 69 percent a restaurant, 28 percent a theatre and 26 percent a music concert

They also have their fair share of vices: 19 percent smoke, 74 percent drink spirits, 59 percent beer and 44 percent wine

They have little trouble spending their money: 93 percent own a car and 54 percent more than one; 56 percent a computer and 14 percent a laptop; and an astounding 13 percent have a fax-machine at home

Why do they read *The Weekly Mail*? The most common reasons given were its perspective and slant, the quality of journalism and writing, investigative reporting, news reporting and the variety and balance of its coverage. Asked their favourite features, they cited Krisjan Lemmer, Madam and Eve, the news pages, columns by Phillip van Niekerk, Pat Sidley and Charlotte Bauer and Doonesbury

What do they like about *The Guardian Weekly*? Its international flavour, the quality of the journalism and writing, the balance, the perspective and the variety of its coverage

There were also criticisms perceived slant, some aspects of the paper's layout and requests for more sports coverage and less "negativity". These are being dealt with in plans to improve and develop the paper

South Africa's ⁽²⁴³⁾ only truly international newspaper

W/M and 9/7-15/7/93.

The Weekly Mail and *The Guardian Weekly* are going to become one single publication.

The recent survey of reader views on the two papers has highlighted ways in which the joint product can be improved to meet readers' needs and make the whole package more manageable.

From the end of this month, the two papers will be redesigned to bring together the most popular features of both to form one single, coherent product called *The Weekly Mail and Guardian* that should be easier for readers to handle.

The move also flows from *The Guardian's* purchase of a minority share in *The Weekly Mail* and forms part of long-term plans to develop the partnership and improve the product of this unusual partnership between a South African and a British newspaper.

The Guardian has bought 43 percent of *The Weekly Mail*, a vote of confidence in the newspaper's future and the success of the partnership. The investment is being used to improve the newspaper and for a strong marketing campaign.

The Guardian, an independent, trust-owned paper is the ideal partner for *The Weekly Mail* since the two publications share an historical commitment to independent and outspoken journalism.

The aim is to build a paper that is truly South African, but also cosmopolitan in its outlook, with strong local coverage combining with the international perspective of *The Guardian Weekly* to provide a rich and varied weekend read.

A number of other improvements and additions are being planned. Details will be announced over the next few weeks.

ANC ads 'as newsy as day's headlines'

Star 10/7/93
243



Quo Vadis Afrikaner?
(Dr D F Malan, 16 Desember 1949)

Afrikaners staan weer voor 'n kruispad in die geskiedenis. 'n Opregte soeke na vryheid en seliverwesenliking

oplossing vir Suid Afrika se probleme. Ons reik die hand van vriendskap na u. Die verskeidenheid tale en kulture in ons land het die volste reg om te groei en te ontwikkel

NO-NONSENSE: The ANC's latest ad focuses on a topical issue.

THE ANC's advertising strategy is one of speedy response, hard-hitting copy and focus on issues, according to AM-C creative director Louis Gavin

Its latest ad, "Quo Vadis Afrikaner", is an example of the advertising strategy adopted by the ANC. The ad appeared in Beeld just days after the AWB forcibly occupied the World Trade Centre

Due acknowledgement is given to the fact that all language and cultural groups have a right to grow and develop. The ad expresses the ANC's willingness to work with Afrikaners in search of democratic solutions.

Previously, AM-C has produced ads reacting to

the budget and education crisis for the ANC

"These advertising campaigns exemplify the no-nonsense, goal-directed approach of AM-C. The ads are distinguished by the speed of response, the quality of craftsmanship and insistence on issues," he says.

"The Quo Vadis ad with its visual of a masked member of the Ystergarde is as newsy as the day's headlines," he notes. "The simple, hard-hitting copy strikes an instant chord with the reader. There is no sloganeering. And the focus is on issues, not personalities."

More of these types of ads can be expected in future, he says.

IN BRIEF

^{FILE 1017193}
Reporter shot (238)

7

JOHANNESBURG. — A police captain was shot in the face and Beeld crime reporter Johann de Waal in both legs when gunmen opened fire on a patrol in Kathlehong last night. Police killed one of the attackers. (25) (243)



By Christelle Terreblanche

A NEW agenda for TV1's current affairs coverage was set this week, with the appointment of a leading black journalist as assistant executive editor of "Agenda" — politically one of the most influential posts in broadcasting.

Ameen Akhalwaya (47), editor of "The Indicator" newspaper, is the first credible black person to be appointed by the South African Broadcasting Corporation (SABC) in its controversial restructuring process made urgent by the prospect of elections next year.

Akhalwaya will take over the reins from well-known Agenda presenter Freek Robinson, who aims to concentrate on his post as executive producer of Sunday "Agenda". "I will bring in a different per-

Independent media man gets top SABC job

spective," Akhalwaya says, "because I come from a different background and political perspective."

Akhalwaya was one of 14 people trained recently by the Campaign for Open Media to take over top jobs in the SABC in the run-up to a democratic dispensation. He has confirmed that he will take up his new post by mid-August.

Heading his own agenda will be women's issues. "While making sure women's issues gets more air-time, I will see that they are reflected by women," Akhalwaya told SOUTH. Another priority among the

SOUTH 10/7 14/7/93

"sweeping changes" he intends making, is sport. "The off-the-field issues affecting sport will also be treated with the seriousness they deserve," he stated. "Gone are the days we will be told that sport and politics have nothing to do with each other."

"I feel very strongly about the role and duties of a public broadcaster," he said.

Akhalwaya indicated he will make space for political parties and organisations "across the spectrum" in the programme, especially during the run-up to the first "free and

fair" election.

Akhalwaya says he had been offered a post "some time ago", but that he would not agree until a new SABC board was instituted. "Even though the new board is still unsettled, I think it is time for changes," he says.

Akhalwaya has 22 years of media experience. He was the first black reporter ever to be appointed by a white newspaper in South Africa — the "Rand Daily Mail". He was also the first black chief sub-editor, at "The Sunday Express", while "The Indicator" was the first alternative



AMEEN AKHALWAYA

newspapers when Akhalwaya started it in 1980.

He was a founder member of the Media Workers Association of South Africa (Mwasa) and holds the prestigious Nieman Fellowship.

Call for independent Africa broadcasting

South 1017-1417193

THE URTNA celebration of excellence in African radio, television and music proved to be a welcome highpoint in an otherwise disheartening gathering.

Kenyan musicians objected to other African performers playing at the gala, and won a last-minute court order banning their own country's television stations from showing the spectacle.

But KTV, Kenya's privately owned channel, went ahead and screened it anyway, to be followed by KBC a few nights later.

A range of other URTNA concerts were cancelled due to shoddy planning and poor finances.

The upbeat awards festival followed a depressing URTNA session chronicling the sad state of the continent.

The gala's sharing and celebrating of Africa's vibrant and diverse cultures was in stark contrast to the other side of the continent which emerged in other URTNA sessions.

Sierra Leone professor Cecil Blake spoke about the "precarious and devastating situation of the motherland", warning that Africa was close to "a near meltdown condition in a nuclear facility".

Former Zambian president Kenneth Kaunda broke into tears as he recalled how

"our continent seems to daily spew out millions upon millions of people who have failed to live with each other in peace".

Reading a lament he had penned for Africa, Kaunda spoke movingly about the bleeding of Somalia, death in Rwanda, Burundi, Angola and Liberia, and decay in Zaire.

But the Zambian elder statesman himself fell short later when he failed to answer questions about suppression of press freedom during his own term of office.

Kenyan journalist Frank Ojiambo of "The Standard" newspaper, however, offered some advice on the role of African broadcasting in overcoming the continent's problems.

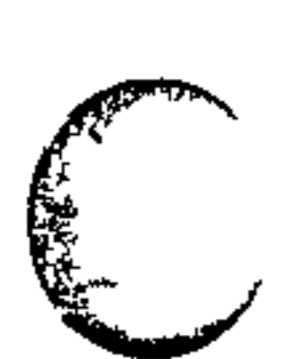
"It is my prayer that the radio and television stations which South Africans will have after their elections will be truly independent. This is what we are crying out for," he said.

Broadcasters should reflect current issues, and not be propaganda organs for personalities like a country's president.

"I speak as someone who has seen it all. The president coughs, and he is the main feature on the news.

"We look forward to the day when you South Africans have corrected some of the mistakes we have made."

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Concern over court press restrictions

EDITORS across South Africa have expressed concern over bans imposed on the press.

Their statement coincided with final steps by SOUTH to contest an interdict won by Plessey-Tellumat on June 16 blocking publication of a story about the company. (243)

The Conference of Editors noted "with concern" recent cases of the courts granting interdicts to companies to prevent newspapers publishing material to which the public is entitled.

It reaffirmed its belief "in a free flow of information and opinion, and in a society in which pre-publication restrictions are enforced only in exceptional circumstances." (252)

● Mewusa, the trade union organising at Plessey Tellumat, has been accused of intimidation by the company, which claims the union is trying to get two women involved in a sexual harassment case to provide details.

The company threatened to "reconsider the privileges afforded to Mewusa."

ELECTIONS: Where we stand

1994 will be the 332nd year since Van Riebeeck landed at the Cape.

It is the first time every South African has the right to vote.

Your birthright to elect the government of your country has been fought and won only after decades and centuries of struggle.

Now it has been secured, and election day is officially April 27 next year.

For this momentous occasion SOUTH has drafted a manifesto for its election coverage

- We confirm without hesitation that our coverage of the election will be firmly from the point of view of disenfranchised South Africans
- We are proud to declare that SOUTH will never be a neutral observer in the coming months
- Pinning our colours to the mast, SOUTH openly declares that it supports non-racial, non-sexist and democratic values and will judge all parties on this basis
- We therefore pledge to provide you the reader, with independent, honest and reliable facts about the election
- We pledge to expose any electoral interference, intimidation, misfor-

● We pledge to develop SOUTH's pioneering voter education thrust, going behind the daily news to explain the complicated issues and rules of the poll.

● We pledge to encourage a culture of democratic tolerance and debate, empowering readers to vote and to campaign in full awareness of what the other side is saying

● We will make our pages available to a range of political viewpoints and party advertisements.

● Finally, as the only truly independent newspaper in the Cape, we promise that you can count on SOUTH for really full and fair coverage of the contest that lies ahead

To give readers the best election coverage in the Cape, SOUTH has put together a uniquely-qualified election reporting team. It is headed by Elections Editor Rehana Rossouw, a highly competent and dedicated journalist with a solid democratic record. Her team includes political editor Christelle Terreblanche, probably the best parliamentary reporter in South Africa, Sabata Ngca, a seasoned professional reporter trained at SOUTH, and campaigning journalist Quentin Wilson whose byline will be well-known to readers. Watch this space!

Signed,

Guy Berger

Editor

Star 10/7/93

ANC-supporting daily set to launch

THE New Nation is to launch an ANC-supporting daily later this year in the run-up to the country's first democratic elections, according to its deputy editor, Gabu Tugwana.

At the same time, independent sources claim the liberation movement has approached publishing giant Times Media Limited for advice on starting a daily newspaper of its own.

"We have been advising the ANC over technical issues and logistics on the running of a daily newspaper," TML director Roy Paulsen commented last night.

"We do not believe that we are the

243

STAFF REPORTERS and ECNA

only publishing organisation the ANC is consulting," he said.

Asked whether British tycoon Tiny Rowland and his multinational conglomerate Lonrho would be backing the proposed paper, Paulsen replied: "It is rumoured he is connected with funding a newspaper for the ANC, which is all we know at this stage."

"Mr Mandela is currently campaigning for funds in American. It is not inconceivable that the issue of funding for an ANC newspaper will be raised as

well," he added.

Paulsen believes that the ANC would like to have its paper in place before the April 27 election date so that it would "have some voice to talk to its people".

The ANC has for some time been mooting the idea of launching a newspaper to counter perceived bias against it in the established media.

ANC spokesman Carl Niehaus said the ANC would welcome more newspapers in what he described as the "democratic environment", but confirmed that the organisation was contin-

● TO PAGE 2.

Star 10/7/93

Daily

● FROM PAGE 1.

ing with its efforts to launch its own daily newspaper.

"If the New Nation becomes a daily it would be fantastic, because they could then respond to issues on a daily basis," he said.

Tugwana said the re-launch of New Nation would have the support and "goodwill", but not the financial backing of the ANC. Local and foreign investors have

given financial support for the venture but Tugwana would not identify the backers.

The name of the title was still under discussion, he said, as was a launch date. But he said it would be well before next April, when the country's first non-racial, democratic elections will be held.

In its present form, the New Nation will print its last edition next Friday before becoming a Sunday paper in August. The paper will then convert to a daily paper.

All systems go for transition

Sifiso

11/6/93

MOHAMMED VALLI MOOSA says those opposed to agreements reached at the World Trade Centre last week are opposed to democracy itself

THE decisions adopted by the negotiating forum last week are far-reaching not only because the election date has been finalised, but because there is agreement on the entire scenario for the transition.

The following are the key elements of the scenario.

● Negotiators conclude their work by adopting a package on all the elements of the transition, including legislation for the Independent Electoral Commission, Independent Media Commission, Transitional Executive Council and an interim constitution.

● An Independent Electoral Commission, Independent Media Commission and Transitional Executive Council are established to level the playing fields.

● Elections are held on April 27 1994.

● An elected Constituent Assembly is established with both national and regional representatives. The assembly is bound by the constitutional principles adopted by the forum on July 2 and any others that may be agreed on by negotiators.

The elections will also result in the establishment of an interim government. It will operate in terms of an

interim constitution which will include justiciable fundamental rights.

At the same time, interim regional governments, provision for which will be made in the interim constitution, will replace all existing regional government structures.

● The final constitution, as drafted and adopted by the Constituent Assembly, is implemented

Apart from the decision on the election date, all the other agreements were not challenged by any of the 26 participants to the negotiations.

The question that arises is: What compromises has the ANC made to secure such an agreement?

Before answering this question, it is useful to examine the two broad categories of concerns among the contending parties.

On the one hand, the ANC and the Patriotic Front insist that the central feature of the transition must be the drafting of the new constitution by democratically elected representatives of the people.

Some of the Cosag parties regard federalism as fundamental. The SA government regards both federalism and "power sharing" as fundamental.

In order to assist the pro-

cess, negotiators appointed a technical committee of experts to advise them and draft proposed agreements.

In a report tabled on May 19, the committee expressed the following view unambiguously: "There is no universally accepted definition of federalism, and we are not convinced that, in a discussion on the form of state, it would be useful or indeed possible to use as a point of departure preconceived concepts such as unitary or federal states."

This made it possible for negotiators to drop the contest for labels and begin to discuss their real concerns.

On the crucial question of who should draft the constitution, the committee suggested, as a possible solution, "the careful and sensitive formulation of a mutually acceptable principle of regional government, adequate provision for the democratic creation and adoption of the final constitution".

The Cosag parties opposed this approach until, on the eve of the July 2 forum, a bilateral meeting was held between them and the ANC/Patriotic Front.

At this meeting, the ANC spelt out the scenario for the

transition in its entirety,

leading to common ground with at least some of the Cosag parties. The scenario, which was adopted by the forum, accommodates the basic positions of the ANC. The answer to the question posed above is found in the dictum "firm on principles, flexible on tactics".

In exercising flexibility, the ANC has agreed to constitutional principles relating to regional government which are more detailed than it would have preferred. These principles, however, fall well within the ANC's policy framework.

The scenario for the transition, which is now the property of the multi-party negotiations process, is one which should be acceptable to all South Africans who are serious about change. The fact that arch-federalists like the DP and NP voted in favour of it speaks for itself.

At this stage of the negotiations process, the only conclusion one can draw is that those who still oppose the emerging consensus at the World Trade Centre stand opposed to democracy itself.

□ *Mohammed Valli Moosa is secretary of the ANC's negotiations commission*

SOWETO 12/7/93

New Nation to launch daily paper

NEW NATION newspaper is to launch a daily supporting the ANC in the coming months in the run-up to South Africa's first democratic elections

This was confirmed at the weekend by *New Nation* deputy editor Gabu Tugwana, who said

the new paper would have the "support and goodwill" but not the financial backing of the ANC. The ANC has for some time been mooting the idea of launching a newspaper to counter perceived bias against it in the established media. Tugwana said local and foreign investors

had given financial support for the venture. He would not identify the backers. (243.)

However, it is believed both Times Media Limited and Sanlam are supporting the venture.

Tugwana said the name was still under discussion as was the launch date. — *Ecn*

Media role in democracy debated

By BARRY STREEK
Political Staff

KEY sessions of a United Nations-sponsored conference on political tolerance and the role of the media to be held in the Western Cape are to be held behind closed doors

The opening session on Fri-

9/13/1993

day July 30 at a Somerset West hotel will be open to the public as well be the closing session on Sunday August 1

But discussions on the educational potential of the print and electronic media on fundamental values in the democratic process and reporting on political events, actions

(243) (243)

and pronouncements will not be open to the public

Only 80 participants, including some editors and selected journalists, have been invited to participate in the session

The conference is being sponsored by the UN Special Committee against Apartheid, with the Institute for a Demo-

cratic Alternative for South Africa and the Institute for Multi-Party Democracy

The conference was intended to "examine how the media can contribute to the political process by reaching out with a message of basic democratic values that can be easily understood and adopted"

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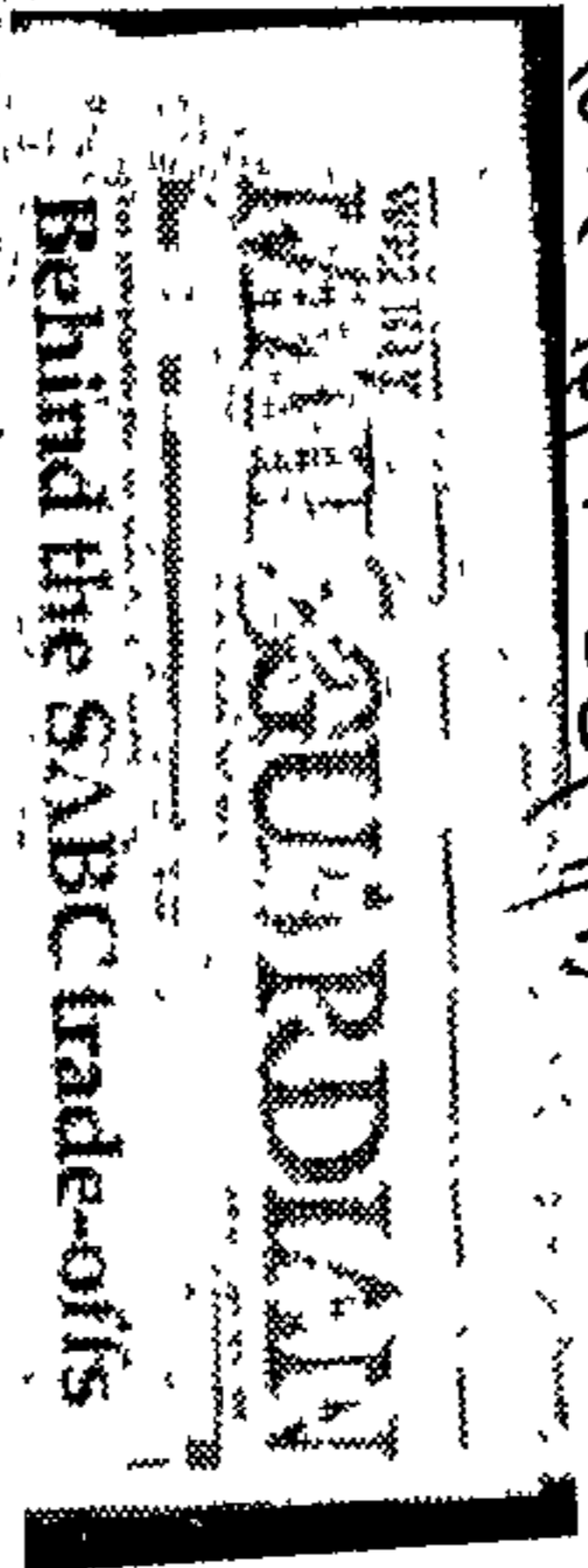
The Weekly Mail and

The Guardian Weekly have

created the opportunity for

improvements in the newspaper

203
16/7-22/7/93



A new masthead to signal South Africa's only international paper

YOU'VE made your requests. And next month we'll be responding Watch out for interesting changes in *The Weekly Mail* from August, many of them responses to the results of our reader survey. New features will include:

- The entertainment listings will be redesigned to make them more useful. Readers asked for intelligent choices of the best entertainment available, rather than simply lists of events.
- There was a strong lobby for television listings. We'll now include a week-

end television guide for all TV stations. ● Business and sports coverage will be widened and given more space. We'll put the week's news in a different perspective ● A new features section will deal

with daily life in South Africa, including topics ranging from off-beat shopping to health, getting away from it all, food and new trends. While most readers were enthusias-

tic in their responses (97 percent said they always read both *The Weekly Mail* and *The Guardian*), there were some valuable comments. These included:

- That the joint two-newspaper package is difficult to navigate around. Topics are often covered in more than one place, in different parts of the paper. Readers found the separately numbered pages confusing.
- *The Guardian Weekly's* coverage is sometimes several days out of date (The reason is that *The Guardian Weekly's* deadline for all international editions is Tuesday, three days earlier than *The Weekly Mail*, to allow time for postage.)
- Foreign readers complained that they did not receive *The Guardian Weekly* (Our licence agreement with *The Guardian* prohibits us from selling abroad.)
- Our response is a change to the structure of the paper, integrating the two papers to create the *Weekly Mail & Guardian*. This is a logical evolution of the increasingly close ties between the two newspapers and offers these advantages:
 - A more varied mix of local and foreign news in front to make it truly South Africa's international newspaper
 - A more logical flow to the paper, with related topics grouped together. For example, if *The Guardian, Washington Post* and *Le Monde* all cover the same issue, the articles will be grouped on one spread. Similarly, the different arts sections will be grouped together. A detailed index will be provided in front to help readers find their way through a single set of page numbers.
 - The integrated approach makes it possible to print *The Guardian Weekly* pages at the same time as *The Weekly Mail*, ensuring more up-to-date coverage. *The Guardian Weekly* head office in Manchester will provide special updates to international news for South African readers.
 - We now have permission to make *The Guardian Weekly's* material available to foreign subscribers as well.
 - *The Weekly Mail* and *The Guardian Weekly* will have separate pages and will maintain their separate identities and styles. But bringing the two together will make far better use of the feature that makes us unique among South African newspapers: a broad range of local and foreign news, analysis and opinion... at a local price.

Reporter shot in gun battle

Star 16/7/93

East Rand Bureau

Beeld reporter Johan de Waal and police Captain Nicky Meyer of Pretoria were wounded in a gun battle between police and AK-47 gunmen in Katlehong last night.

De Waal accompanied a police patrol to write an article on violence in the townships, when he was shot in the right ankle and left calf. (243)

Meyer was shot in the face and is in the intensive care unit of an East Rand hospital.

Constable Heinrich Viljoen, who accompanied the patrol, said they were following up information about gunmen who had shot at another police patrol in the area a week ago.

The patrol, travelling in three Nyala vehicles, stopped 400 metres from a house and were approaching it on foot when shots suddenly rang out.

He and other policemen carried the two wounded men to a Nyala while bullets were flying around them.

The patrol called for SA Defence Force backup and it was later established that one of the attackers had been shot dead. An AK-47 rifle and a pistol were seized.

De Waal underwent emergency surgery and is in a satisfactory condition in hospital.

Meyer's condition was reported to be stable today.

Thokoza or not Tokoza?

W/M 16/7-22/7/93

(243)

Weekly Mail Reporter

FOREIGN news editors at the *New York Times* have been locked in debate with their South African correspondent Bill Keller over Thokoza. But it's the spelling — not the causes of the violence — which is the trouble.

Nancy Kenney of the *Times*' foreign desk cabled Keller in Johannesburg last Wednesday, saying: "I note that you and the wires used spelling 'Tokoza' yesterday. Over the last few years our spelling has been Thokoza — should we change our style?"

Keller's response was swift ... and inconclusive. He told New York: "You probably think the spelling of Tokoza/Thokoza is a simple matter. Welcome to South Africa, where there is no such thing as general consensus. *The Star* and *The Citizen* spell it 'Tokoza'. *Business Day* and *The Weekly Mail* spell it 'Thokoza'. The *Map Studio Street Guide to the Witwatersrand* says 'Tokoza'. The *AA Book of the Road* says 'Thokoza'.

"If you go there (which I don't recommend at the moment), you will find the Tokoza Baptist Church, the Thokoza Primary School, the Tokoza Open Market, and Thokoza Fish and Chips. In the phone book you will find the local government offices for the place in question listed under 'Municipality of Thokoza'.

"If you call the number listed there and ask the town council receptionist how they spell it in their official documents, the answer is 'most definitely Tokoza'. The post office advises that if you want to send a letter there, the correct spelling is 'Tokoza'.

"I recommend we go with 'Tokoza', thus satisfying two principles that are now very much in fashion here: self-determination and sufficient consensus. Cheers, Keller."

Sowetan 19/7/93

Holomisa salutes the *Eagle*

SOUTH Africa was on the threshold of a far-reaching transformation, Transkei military ruler General Bantu Holomisa said in Bloemfontein on Saturday

Speaking at the launch of the *Eagle* newspaper,

(~~18~~) (243)

Holomisa said the appearance of black newspapers was a beacon of hope at this crucial time. The apathy of some established newspapers to the plight of disadvantaged communities would be countered by the "energetic coverage of our miserable conditions by papers like the *Eagle*."

Holomisa said the exploitation and oppression of blacks and the squalid conditions under which they live would have been addressed long ago if the Press had relentlessly exposed the evils of apartheid.

He said "Instead, some sectors of the establishment Press hailed apartheid as a lasting solution to our social problems," he said.

"Newspapers, through the untiring efforts of journalists, are the conscience of the nation, they must always guard against subtle manipulation by policy makers."

News briefs

New administrator

FORMER administrator of Alexandra Township Mr Steve Burger takes over from Mr Sakkie Lombard as administrator of Soweto and Diepmeadow today. The Transvaal Provincial Administration yesterday said Burger had been appointed administrator of the two areas for a bridging period while negotiations in the Central Witwatersrand Metropolitan Chamber for a more representative dispensation for Greater Soweto continued.

AWB men in court

FIVE more AWB members, including a member of the Ystergarde (Iron Guard), appeared in the Johannesburg Magistrate's Court yesterday on charges of public violence at the World Trade Centre last month.

Among them was "General" Johann Thompson (41) of the Ystergarde. The case was postponed to August 18.

Services talks stall

A MEETING to discuss the Soweto

Sowetan 21/7/93
services crisis deadlocked in Johannesburg yesterday with the different parties failing to agree on a minimum tariff as well as the structure that should implement this payment.

Several parties agreed that residents should pay a minimum of R23 across-the-board for services but failed to reach agreement on who the money should be paid to.

Mwasa against move

THE Media Workers Association of South Africa has sent a letter to the Turkish Prime Minister, Mrs Tansu Ciller, protesting against the threatened closure of the daily newspaper *Ozgur Gundem*.

Mwasa, an affiliate of the International Federation of Journalists, which represents more than 20 000 media workers in South Africa, warned Ciller that it strongly "protested against the on-going harassment of *Gundem*". And the IFJ yesterday called for an international day of protest by journalists tomorrow, the day of a court case in Turkey to decide the future of the newspaper — *Sowetan Reporters and Sapa*.

Reporter refuses to testify

ET 21/7/93 (243)

JOHANNESBURG. — A newspaper reporter yesterday told the Magistrate's Court here he was being victimised because of his refusal to testify in court about ANC Youth League leader Mr Peter Mokaba's alleged use of the "kill the Boer" slogan.

Beeld reporter Mr Andries Cornelissen was called to testify in a Section 205 hearing following his report on Mr Mokaba's speech at the University of the Witwatersrand on May 26.

Mr Cornelissen offered, under pro-

test, to "swear in" his story but refused to make a sworn statement or to recite its contents under oath.

He said he would create the perception that he was biased in favour of police if he co-operated with the SAP investigation on the use of the slogan.

Beeld news editor Mr Ian Theron said if Mr Cornelissen was seen to have testified against a political figure, his credibility as a journalist would be destroyed.

The hearing continues — Sapa

NEWS IN BRIEF

Flying school order

A PROVISIONAL liquidation order was granted in the Pretoria Supreme Court against the Wonderboom Flying School yesterday, one of the few in the country to train commercial pilots

In his application for liquidation, school head Johannes Olivier said his company had been rendered hopelessly insolvent

AWB general in court

AWB general Johann "Hagar" Thompson was among five AWB members who appeared in the Johannesburg Magistrate's Court yesterday on charges of public violence related to the right-wing occupation of the World Trade Centre on June 25. **21/7/93**

Thompson, 41, Chris Welgemoed, 50, Abraham Fourie, 42, Christiaan Potgieter, 33, and Frans Gericke, 38, were not asked to plead and the case was postponed until August 18. **(34)**

Thompson, Welgemoed, Fourie and Potgieter were released on bail and Gericke on warning

Reporter faces charges

BEELD reporter Andries Cornelissen appeared in the Johannesburg Magistrate's Court yesterday in connection with his refusal to give the police a statement concerning ANC Youth League president Peter Mokaba's slogan, "kill the boer, kill the farmer". **21/7/93**

Cornelissen, who could face up to five years in jail, told the court he wanted to protect Beeld, his career as political reporter and journalists generally. **(243)**

REPORTS Business Day Reporters Sapa

Call to ANC to take firmer stand on land

WASHINGTON — The ANC appeared too ready to compromise with government over the question of entrenching property rights in a new constitution, Legal Resources Centre director-designate Geoff Budlender said in Washington yesterday

Speaking at the Carnegie Endowment for International Peace, he suggested the movement take a firmer stand on the need for a reparations "levy" to help resettle black South Africans driven from their land under apartheid. **(14)**

Such a levy would be an "equitable" quid pro quo for constitutional guarantees against expropriation without fair compensation, he said.

Without it, he suggested that property either not be mentioned in the constitution at all or that provision be made for the courts to determine compensation taking factors beyond market value into account.

Government's draft Bill of Rights, which would bar a future government from taking private land without paying market value for it and block expropriation through tax-

SIMON BARBER

ation, was a recipe for undermining the constitution and could end up threatening all property rights

Budlender, who has been involved closely in the Ivory Park squatter case and restoring the Bathleong tribe to its ancestral land, worried that the ANC was not pressing the land reform issue hard enough

He attributed this to the movement's urban bias and to the deals it has felt obliged to cut with certain homeland leaders. **(24)**

Citing a recent World Bank report, he said a massive land reform programme would have to be completed within two years if there were not to be violent seizures of land and civil unrest. **(20)**

Although much land could be made available quickly if government refused to extend further credit to heavily indebted white farmers, government had already begun to thwart that option by forgiving Land Bank debts "under the guise of drought relief", Budlender said

Talks on Soweto tariffs deadlocked

THE Soweto crisis committee deadlocked yesterday over tariffs and the replacement of local authorities by appointed interim structures. **21/7/93**

Metropolitan Chamber CEO Vic Milne said the committee would meet again early next month. **21/7/93**

Soweto has been subject to a large-scale rent and services boycott for the past decade. **(243)**

To break the deadlock, a basic ser-

GAVIN DU VENAGE

vice tariff of between R55 and R23 per household is being proposed

Chamber chairman Van Zyl Slabbert said yesterday that R55 was the minimum tariff level needed if Soweto was to receive an 82% subsidy, as included in the latest proposals

The committee also failed to agree on appointed interim structures.

Negotiations 'must involve' the community

LOCAL government negotiations will be left to national politicians "at our peril", Central Witwatersrand Metropolitan Chamber chairman Frederick van Zyl Slabbert said in Randburg yesterday. **(22)**

Slabbert said that local negotiations had to be conducted by community organisations. The pace would be set by the multi-party talks, but could not be an exclusively national process. **21/7/93**

It was not possible to arrive at a national political settlement without reaching accord in local politics

GAVIN DU VENAGE

Slabbert said that without local solutions, "all national plans will come to nought"

The metropolitan chamber served as a forum for diverse interests and allowed problems to be thrashed out so that a common solution could be found

The chamber faced "enormous problems", particularly over the question of rent boycotts, but was still far ahead of any other such bodies elsewhere in the country

However, it was also necessary for local government leaders to communicate with their constituents. People had to be kept informed about changes taking place if their co-operation was to be guaranteed, he said

Without community acceptance, the proposed interim appointed structures could face a legitimacy crisis

At the same time, it was important that people recognised the inevitability of change. He said questions about a mandate for change should not dissuade politicians from moving forward.

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Don't force reporter to testify — lawyer

Star 22/7/93

243

By Philip Zoio

Beeld reporter Andries Cornelissen should not be compelled to testify under oath on his knowledge of ANC Youth League leader Peter Mokaba's alleged use of the "Kill the Boer" slogan, Cornelissen's lawyer argued in the Johannesburg Magistrate's Court yesterday.

Pieter Botha said that forcing Cornelissen to testify would cause a loss of trust in the press and hamper its ability to provide information to the public. Cornelissen was

'Safety of journalists endangered'

The Campaign for Open Media (COM) yesterday condemned the "harassment" of Cornelissen by the State, saying their actions presented a grave danger to press freedom and democracy in South Africa.

By trying to force Cornelis-

subpoenaed last week under section 205 of the Criminal Procedures Act following his report on Mokaba's speech at Wits campus on May 26.

He has refused to testify against Mokaba.

State Advocate Gerard Nel said the journalist showed "unheard-of" arrogance by expecting to be exempted from giving evidence in criminal matters.

He said a decision in Cornelissen's favour would be denying the fundamental legal principle that society had a right to the evidence of every citizen.

He argued that the State

sen to testify in a politically sensitive situation, the State was endangering the safety of Cornelissen as well as other journalists in the country, COM said in a statement.

"Journalists are not policemen and should not be used to perform the duties of policemen," COM said.

was not the arm of a political party, and that Cornelissen would not be showing bias by making a sworn statement to authorities

Cornelissen on Tuesday told the court that by testifying against Mokaba, he would create a perception of bias (against the ANC) and would damage the relationship of trust that he had developed with certain political leaders.

The effect would not only be a diminished access to news sources for Cornelissen, but also for Beeld and the media in general, he said.

Two Beeld journalists with extensive township reporting experience, testified that perception of collusion with police would greatly increase the danger to the life of a reporter in the townships.

Botha conceded that it was in the interest of society that the administration of justice should take its course, but said Cornelissen was one of about 1 000 people who heard Mokaba's speech.

Judgment will be heard on August 3.

Dramatic rise in TB cases

PORT ELIZABETH — Tuberculosis, once thought to be beaten, is back with 80 000 new cases recorded annually in SA.

The "tragic forecast" resulting from dramatic rises in TB infection was described by South African National Tuberculosis Association (Santa) public relations manager Julia van Heerden yesterday.

Van Heerden said there had been an upsurge in TB worldwide. The disease had been declared a "global emergency" by the World Health Organisation in April.

She said the increase could be ascribed to the link between TB and Aids, as well as to development of a drug-resistant strain.

Van Heerden said at least one-third of SA's population was infected with the "very virulent" TB germ, which could become active.

More than 80 000 new cases of TB were recorded annually in SA, with about 8 000 of those in the Eastern Cape, and about 3 500 in Port Elizabeth, she said.

The increase in TB cases cut across racial boundaries.

With a number of people at "executive level" being treated for the disease, said

Own Correspondent

stress was one of the factors influencing the development of TB. *Biday*

Van Heerden appealed to employers to assist Santa in preventing development of the drug-resistant strain of TB by supervising treatment of infected employees.

She said TB patients stopped being infectious about 48 hours after they had started treatment, but if they stopped treatment once they felt better they could develop the fatal drug-resistant strain.

Steps she encouraged employers to take included: *22/7/93*

- Informing employees about signs and symptoms of TB.
- Encouraging workers to undergo medical tests.
- Not firing infected employees, because if they were spreading the disease they were doing so before it had been diagnosed
- Keeping infected employees' jobs open if they needed to go to hospital.
- Arranging for local health authorities or Santa advisors to inform employees about TB.

Beeld journalist 'has no privilege'

THE police had the right to obtain all necessary information related to investigations and journalists were not exempt from giving testimony or statements, State advocate G Nel said in the Johannesburg Magistrate's Court yesterday.

Speaking at the trial of Beeld reporter Andries Cornelissen, who is being charged for refusing to make a statement to police concerning ANC Youth League president Peter Mokaba's use of the slogan "kill the Boer, kill the farmer", Nel said there was no privilege in SA allowing journalists to refuse to testify.

Cornelissen, who appeared in court for the second time yesterday, was subpoenaed under Section 205 of the Criminal

MARIANNE MERTEN

Procedure Act. The subpoena followed an article in which he reported that Mokaba had chanted the slogan at an SA Students' Congress meeting at Wits University on May 26. *Biday 22/7/93*

Nel said Cornelissen's testimony on Tuesday had created the impression that by testifying for the State in this political matter, he would choose sides and possibly endanger his career as a political reporter. *243*

Cornelissen could face up to five years in jail if the magistrate finds he does not have legal reasons for refusing to testify.

Magistrate R G le Roux reserved judgment until August 3.

1 000 die

Police deal with ANC gags Press

(243) ARG 22/11/73
The Argus Correspondent

JOHANNESBURG. — An agreement between the ANC and the police has gagged the media from reporting on the investigation into Sunday's shootout between police and bodyguards of ANC deputy president Mr Walter Sisulu.

The ANC and the police have agreed not to release any information to the Press about the investigation to prevent a "trial-by-media" developing, spokesmen said yesterday.

This follows a police statement on Monday that "the Press will be informed of all aspects of the investigation within the boundaries of the rules of evidence and the sub judice rule".

But Witwatersrand police liaison officer Major Eugene Opperman said yesterday no more information would be given to the Press. He said the names of the policemen involved — who had not been suspended or charged — would be given only to the ANC.

ANC spokesman Mr Carl Niehaus said the policemen's names would be given when and if they were charged.

A bodyguard died and two were injured when the car in which they were travelling rolled on the Soweto Highway after a shootout with police early on Sunday.

The car was one of a three-car convoy escorting Mr Sisulu and his wife, Albertina, home from ANC president Mr Nelson Mandela's birthday party in Johannesburg.

Call to give TEC 'gagging' powers

From SIMON BARBER

WASHINGTON. — The Transitional Executive Council should have the power to prohibit the media from quoting persons who violated the National Peace Accord, Dr Antonie Gildenhuys, chairman of the National Peace Secretariat, said here yesterday. ~~242~~ (243)

His own view was that the existing judiciary lacked credibility and a better approach would be to empower a TEC mechanism to issue the functional equivalent of banning orders, Dr Gildenhuys argued, although he preferred to use the term "gag rules". 223/19B

He said this was one of several ideas to reduce pre-election violence raised at a workshop organised by the federally funded US Institute of Peace.

Other media planners who believe the ANC is being over-optimistic about advertising say, however, that the paper could get a lot of initial "guilt advertising" support.

The limited market penetration of papers like *Sowetan* and *City Press* (according to the Amps figures) would seem to indicate that blacks (and perhaps others as well) are increasingly turning to radio and TV. For one thing, simmering black education unrest since 1976 seems to have produced a generation of semi-literates — in a society which is 50% illiterate.

Amps shows there are 3,2m blacks (19%) with no schooling and 4,5m dropouts at mid-primary school level. This suggests the ANC would do better to launch a radio station — especially for election campaigning — and to improve its public relations among the established press. Temporary broadcasters' licences are possible to obtain, Rhodes University, for example, has one.

A spokesman for the ANC project counters that if half the black population is illiterate, that still means 50% of adults, at least 7m, can read and if only 1,5m of them (despite the penetration figures) buy the paper, the paper will be in business. There is a strong belief that many do not buy existing papers because their editorial line is anti-ANC.

This, it is hoped, is where the special appeal of an ANC paper will be.

The ANC will not have a stakeholding; it will only promote the newspaper, for which R60m is projected for launching costs. Lonrho's Tiny Rowland is said to be only one of 12 parties interested in investing.

A mechanism to protect the editor from the owners is being looked at, based on similar schemes covering some British newspapers. ■

NEWSPAPERS

Fond dreams

FM 23/7/93

The arguments against setting up an ANC-supporting daily newspaper are dismissed by movers behind the project. They say objections are "hogwash, hiding the fact that the established press in general doesn't support the ANC and isn't reflecting the sentiments of the African majority, 80% of which supports the ANC."

It is that political support base, it is maintained, that will buy the new paper and ensure commercial success — despite the All Media Products Survey (Amps), which indicates limited penetration (14,9%) by the *Sowetan* with its 1,3m readership in the Transvaal, or *City Press's* 5,8% (960 000 readers) nationally.

In addition, observes Hunt Lascaris's Lyndall Campher, the electronic media are eroding the print media's advertising client base. In the present economic climate, advertising budgets are decreasing. It is difficult for new publications to cut into established media such as the *Sowetan*.

Look at *The Weekly Mail*, for instance, which since moving from fringe to mainstream media is to intersperse its sought-after *Guardian* supplement amid the rest of the paper in an attempt to pull in ads. If the ANC venture is relying on advertising, therefore, the outlook is not good, if it's relying on outside funding, it is in a better position, says Campher.

DP Youth hits at 'media gag'

CT 231792
THE agreement by the ANC and the police to gag the media on the Sisulu shoot-out investigation was an infringement of press freedom, the Democratic Party Youth said last night.

It threatened the freedom of information and gave rise to suspicion that the ANC and police had something to hide, the DP Youth said in a statement. (243)

End of an era as Learning Roots closes

By Barbara-Anne Boswell

THE Cape Town-based student newspaper Learning Roots closed down last month due to lack of funds.

The newspaper, which appeared every six weeks, was extremely popular with high school teachers and students alike, according to its publishers.

It was distributed free and had a circulation of 50 000, serving a wide range of schools across the south western Cape.

Mr Mike Kantey, former editor of Learning Roots, said the closure signalled the end of an era. Learning Roots began as a supplement to Grassroots which was, according to Kantey, "the first and finest example of a newspaper in opposition to the state."

"It set the tone for alternative newspapers like New Nation, Saamstaan and Namaquanuus. A challenge was put to them by the success story of Grassroots. It gave voice to the work of the United Democratic Front and gave concrete support to the phase of the struggle which ended in 1990.

"Learning Roots was the last manifestation of that process and its closure represents the final termination of that phase."

Kantey said that foreign and local funding has dried up because of changing funding priorities.

"Many funding agencies overseas presume that the anti-apartheid struggle is over. They don't see the point of oppositional newspapers.

It is "more than likely" that links would now be forged with SOUTH's student supplement Study Beat, and that this would "represent a way of keeping that particular flame alive", he said.

Koppies: Divergent views, despite police 'clarification'

ARCT 24/7/93 (243) ~~243~~

Weekend Argus Correspondent

PRETORIA. — Allegations by journalists that police had not protected them during the Afrikaner Weerstandsbeweging/African National Congress stand-off at Koppies earlier this month were answered for the first time yesterday by the police.

The official response is that reporters were told to leave the scene in the Free State town for their own safety.

This has been disputed by a senior journalist, who said a police colonel "shrugged his shoulders" at the plight of the reporters.

Armed people — said to be members of the AWB — erected barricades, preventing 3 000 black protesters, members of the ANC, from leaving the KwaKwatsi township at Koppies.

Police said on Thursday that people — identified as members of the AWB — were members of the Koppies action committee, and that "AWB members were not involved".

Major Ruben Bloomberg of the police public relations directorate gave the police viewpoint after clarification was sought of what had taken place. It was the

first time that clarification had been obtained since the incident on July 2.

He confirmed that reporters from The Star, Saturday Star and Sunday Tribune had asked for police protection after reporters claimed to have been abused, punched, kicked and sworn at. Mr Kris Mayes, an American exchange journalist working for The Star, Mr Ken Vernon, deputy editor and news editor of Saturday Star, and Mr Brendan Seery, Johannesburg bureau chief of Durban's Sunday Tribune, were told that, in view of the situation at the time, "the SA Police could not accept responsibility for the safety of the journalists and they were asked, at the same time, to leave the area".

The request, also made by other journalists, had been directed to Colonel Gert Nel, the senior police officer on duty.

Major Bloomberg said the Koppies action committee, whom he described as "being part of the local municipality", had been asked by the police why roads had been blockaded.

"They said it was in connection with roadworks being carried out. When the police pointed out

that there were no roadworks involved and that there was no machinery in the area to undertake such works, excavators were brought to the scene by the action committee and a trench dug across the road," said Major Bloomberg.

Mr Vernon said he had spoken to Colonel Nel regarding "the evident inactivity of police in the face of rightwing lawlessness after they had barricaded a public road and set alight barriers of burning tyres".

Colonel Nel told Mr Vernon the situation was volatile and that he felt that "no action was the best action".

Shortly afterwards, the rightwingers turned on the journalists.

"I managed to speak to the colonel again — who was standing at the barricade with two armed rightwingers — and asked him for protection for journalists to enable them to carry out their work.

"I did this because the rightwingers were assaulting us and physically forcing us from the area.

"All he did was to shrug his shoulders and to say that he could 'do nothing'.

Editors protest over subpoena

JOHANNESBURG. —
The Press Council and
the Conference of Edi-
tors yesterday expressed
concern over the sub-
poena of Beeld journal-
ist Mr Andries Cornelis-
sen (243) CT 24/7/93

Mr Cornelissen had re-
fused to testify about Mr
Peter Mokaba's alleged
use of the "Kill the
Boer" slogan.

The subpoena was in
breach of an instruction
by the Commissioner of
Police that no such ac-
tion would be taken
without the editor of the
publication concerned
being informed in ad-
vance, the editors said.

— Sapa

Star 24/7/93

'Govt sacrificing ties with IFP'

BLOEMFONTEIN — The Government was bent on sacrificing its working relationship with the Inkatha Freedom Party to appease the African National Congress, at the cost of peace, IFP president Mangosuthu Buthelezi charged yesterday.

Addressing a public meeting of about 500 mostly white people in Bloemfontein, Buthelezi warned that there could never be peace while the ANC and the Government were colluding behind closed doors.

Instead of forging a constitution which would safeguard the future, government negotiator Roelf Meyer and his colleagues had agreed to a two-phase transitional process which would allow the ANC to dominate the future government of the country.

"In so doing they have struck at the IFP's hope of achieving a constitution capable of protecting freedom, democracy and plural-

Star 24/7/93

ADRIENNE CARLISLE

ism for all the citizens of South Africa."

Buthelezi also accused the Government of selling out its own constituency when it agreed with the ANC on the election of a constitution-making body

High-handed

He said the proposed two-phased transition deal merely ensured that certain key government officials would be able to retain their senior position in the government of transition.

"In their typical high-handed unilateral manner, the Government has sold out its constituency in order to look after its own narrow party political interests," said Buthelezi.

The IFP would insist on a single-phase process where a draft constitution would be negotiated

and agreed to by all representative parties at the multiparty negotiating forum.

Earlier, Buthelezi told University of Orange Free State academics that the two-phase approach to the transition was a recipe for civil war.

He said the setting of an election date before the future form of state had been determined was incomprehensible.

The IFP and the KwaZulu government walked out of negotiations two weeks ago because they objected to the ratification of April 27 next year as the date for South Africa's first democratic elections.

Despite his objections to the setting of an election date before the form of state had been agreed to, Buthelezi has embarked on an aggressive recruiting campaign in white areas in the Eastern Cape and now the Orange Free State. — Sapa.

Subpoena of journalist deplored

Star 24/7/93

THE Press Council of South Africa and the Conference of Editors yesterday expressed concern over the subpoena of Beeld newspaper journalist Andries Cornelissen under section 205 of the Criminal Procedure Act.

"The two bodies de-

plore the use of section 205 to gain information from journalists under the threat of penalty or a prison sentence," the two organisations said in a statement.

(243)
The action was also in breach of a written in-

struction by the Commissioner of Police on July 16 1991 that no such action would be taken in terms of section 205 without the editor of the publication concerned being informed in advance, the organisations said — Sapa.

Ad has wrong phone number

THE telephone number in an advert entitled "Own Your Own Home" on Page 108 of the Property Guide is incorrect. The correct number of the Eugenic Foundation is (011) 886-0969.

In the end, who wants to be a censor anyway?

C Press 25/7/98

(242)

THE *Weekly Mail* is hosting not one, but two film festivals this year.

The first, the *Weekly Mail* and *Guardian* Film Festival and the Anti-Censorship Action Group's Limits of Liberty Festival and Conference burst on to our startled eyeballs this week.

Why? The festival organisers say that, in the run-up to our first-ever proper election, censorship is a critical issue of the past, and will be a critical issue of the future.

The major political parties, they say, have not formulated any policies on this issue, and worse, "the artistic and creative communities have so far failed to articulate their views on what form, if any, censorship should take in a new South Africa".

So they hope to stimulate debate on this issue.

Of all the untangleable issues in this country's ridiculous history, censorship must be one of the worst.

What individual or committee can, or should, proscribe what is good for you and me to take in through our eyeballs, ears, or anywhere else?

"Tits and bums"

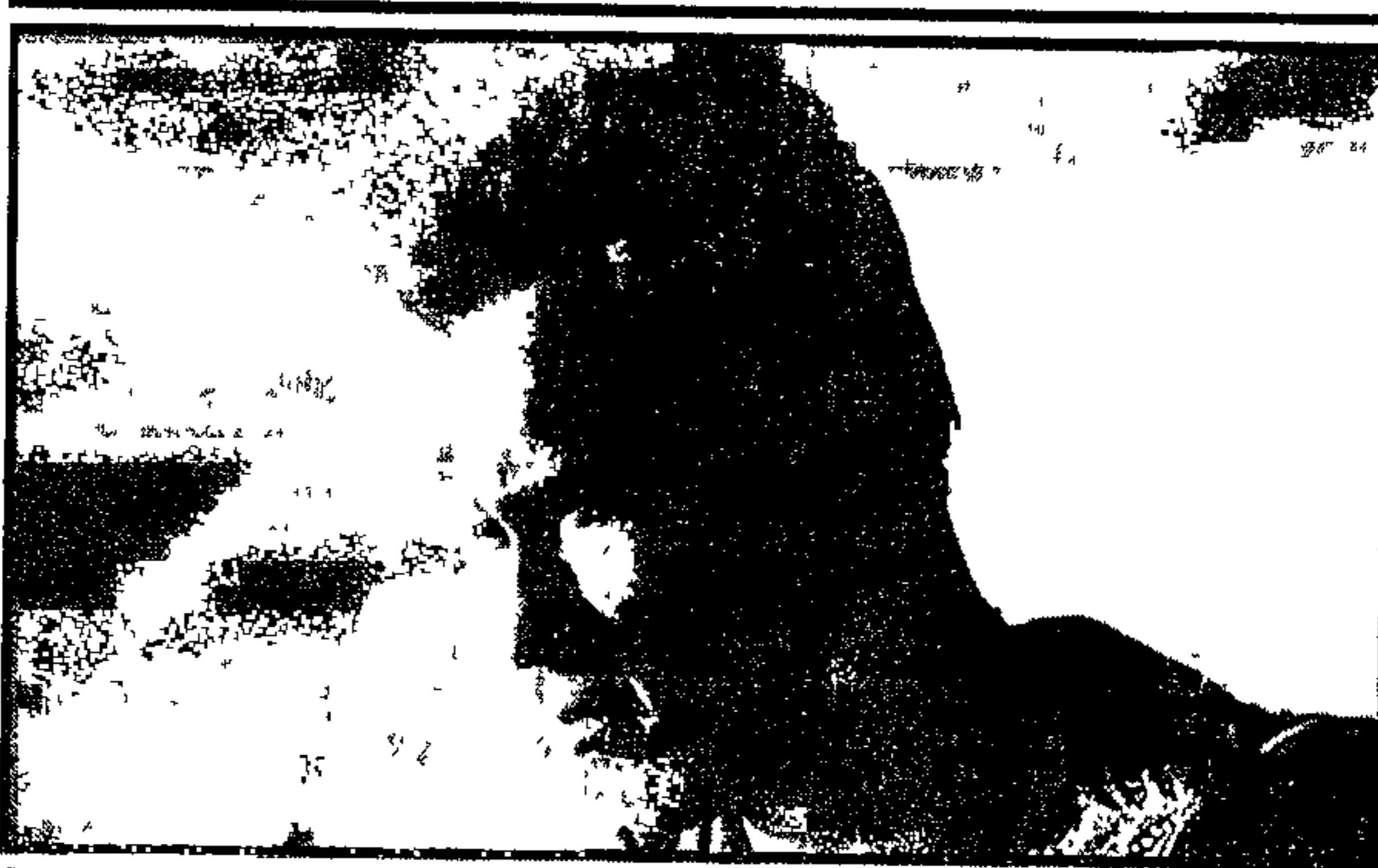
As it is South Africa is a world-beater in taking the question of censorship further than anyone thought of taking it before.

In the (not so) old days, censorship covered not only "tits and bums", as the gutter press might say, but more sensitive parts as well.

Censorship snuffed out people, for example, and ideas like freedom.

Can Themba, my dad Todd, and a host of others who wrote for easy-going journals like the old *Drum* fell under the South African censors'

To ban or not to ban, that is the very complicated question to be addressed in the *Weekly Mail's* imminent conference dealing with the matter of censorship in the new SA. What with religious fundamentalists, "dik tannie" brigades, fanatical fascists and all the other various belief systems that exist in the beloved country, the issue of censorship in a new SA must be one of the most complicated of all, argues playwright and theatre personality JOHN MATSHIKIZA in this, the latest of his irregular and irreverent columns for City Press.



DEADLY TERMINATOR ... Does the screening of a violent Arnold Schwarzenegger movie lead to youngsters taking up violence?

evil axe, and have only recently, long after their deaths, been allowed to emerge.

Already, we have in place a host of new, self-appointed censors.

The ZCC has its own standards of decency, political parties from left and right have their peculiar sets of boundaries of taste, especially as regards how their leaders may or may not be represented in public. ET's green underpants may soon become a treasonable issue, for example.

Then there's the host of moral crusaders, ranging from the Muslim fundamentalists to the feminists to the Voortrekker youth.

The *Weekly Mail* seems to have taken on the whole world, fired by their phyrnic victory at last year's film festival, when crusading Christian fundamentalists almost caused a riot over the attempted showing of *The Last Temptation of Christ*.

The *Weekly Mail*

might even be in danger of setting itself up as a yet another guardian of standards of public taste.

Anyone who dares to take the high-ground on issues as tricky as these (like me, here in this column) risks falling into the same kind of trap. "The higher the monkey climbs up the tree," they say, "the more you see of its unmentionables".

And that kind of thing we all want to avoid.

But we all do have things we strongly object our children, or our spouses, or sometimes even ourselves being exposed to.

My pet hate is mindless violence, but what with Arnold Schwarzenegger and the general culture of Johannesburg, no censor stands a chance

Yet somewhere, we do have to hit some moral bottom-line if we are somehow going to find a way to live together in the new dispensation.

The feminists and the Muslims and the Voortrkkers do have to agree on something, oth-

erwise we can never claim to be a meaningful society.

And that is where the censors come in.

But what is a "censor", and what should a "censor" do?

My dictionary gives the earliest reference to censorship to the Romans.

In the Roman Empire BC, a censor was "a magistrate who watched over the morals" of the citizens of the empire

Later, this person's job was extended to "an official who examines books, papers, telegrams, letters, films etc with powers to delete material, or to forbid publication, delivery, or showing" of such things.

In the old South Africa, these powers were executed with unbending precision. The letter of the law overwhelmed the spirit of moral law.

And the spirit of moral law is, in the end, is what has to guide a society.

The Bible, say, gives a set of moral laws: thou shalt not kill, thou shalt not covet another's pos-

sessions and so on.

But the Bible is also littered with examples of people who killed each other, righteously.

Should a censor pass or ban a violent, bloodthirsty movie about cattle rustlers, or, for that matter, cowboys killing Indians?

I don't know.

Another moral code says you should avenge the rape of your mate or the murder of your child - an eye for an eye.

Holocaust

Does this mean a censor should give an unqualified "Yes" to Charles Bronson's personal holocaust in *Death Wish I* and *Death Wish II*?

If the censor gives an unqualified "yes", will this inspire a bunch of hideous "do-it-yourself" killings?

It gets much more complicated than that. Like this thing about nudity.

A lot of people on this planet still walk about without much clothing on their bodies - in the Kalahari, in the rainforests of Brazil, in Borneo.

But the moral codes we accept say that nakedness on the screen is immoral.

Should a censor in the new South Africa ban a sitcom set among the Khoisan? Where would we be then?

At the end of the day, who would want to be a censor, anyway?

But there will always be people eager to do the job, just like they'll always find a volunteer for the job of hangman.

It's interesting that the *Weekly Mail* is taking on this new moral crusade.

I just wonder what it will all come to, in the end.

I'll certainly be there, just to see what we've all been told we should be missing.

And that's always fun.

Sf Times (Buss) 25/1/93

All that's worthwhile in news

NOW for the good news, brought to you by the Positive Development News Initiative (PDN).

Core funders are several trusts, chairmans's funds, Eskom and Murray & Roberts. M&R executive director Jeremy Ratcliffe says the group has been persuading the media, including the electronic ones, to start balancing "the continual bombardment of what we call bad-news stories with positive news".

He wants more attention to be paid to the many unsung key achievers, committed to

making a difference to the quality of life among the disadvantaged.

"Good things are happening, but few know about them. We need to celebrate them and seek to rekindle the joy experienced from positive achievement," says Mr Ratcliffe

PDN aims to inspire others by communicating the achievements of those who help others to help themselves. (243)

The co-operation of three television services as well as vernacular SABC radio channels has been secured

Media indaba closed to press

Political Staff

A CONFERENCE on the role of the media in political tolerance in South Africa will still be closed to the press for most of its proceedings, the organisers confirmed yesterday.

The symposium has been organised by Idasa, the UN and the Institute for Multi-Party Democracy. (243) CT 28/7/93

It is reliably understood that some of the people invited to the symposium will stay away in protest against this decision.

Burger: Boesak to pay defamation costs

Supreme Court Reporter

243

DR Allan Boesak, chairman of the ANC in the Western Cape, yesterday in the Supreme Court offered to pay the costs that Nasionale Media Beperk and Mr E Dommissie, editor of the Burger, incurred in a R100 000 defamation action he had previously brought against them.

The defamation action, later withdrawn, stems from a report in the Burger about improvements he had made to his Bishopscourt home.

In terms of the court order, by agreement between the parties, Dr Boesak agreed to pay Nasionale Media and Mr Dommissie's costs, which include the costs of two counsel.

ET 29/7/93

Press: Call to foster ⁽²⁴³⁾ tolerance

CT 3/17/93
Staff Reporter

SPEAKERS at a symposium in Somerset West on the role of opinion-makers in promoting political tolerance called on the media to report responsibly so as not to exacerbate conflict.

But Ms Karen Stander, secretary-general of the South African Union of Journalists, said that reporters' prime function was to expose facts rather than to foster political tolerance

The conference was sponsored by the UN Special Committee against Apartheid, Idasa, and the Institute for Multi-Party Democracy

Earlier, Professor Wimpie de Klerk of RAU urged the media to work out a joint plan, through a series of seminars, to act as "a training college for democratic values" during the election run-up

SAP 'watch idly' as AWB members attack journalists

Steer 21-1192

POLICE are said to have stood idly by last night as AWB members attacked and harassed journalists covering a right-wing demonstration against the screening of *De Voortrekkers* at the Weekly Mail Film Festival at Wits Theatre.

Protesting against the film which they believed degraded the "Africaner culture and history", the 40-strong AWB contingent openly flouted recent Goldstone Commis-

STAFF REPORTER

sion recommendations against the use of para-military uniforms in public.

The film was ⁽²⁴³⁾finally shown about an hour later than scheduled because of the disturbances and a bomb scare. According to journalists, police did nothing to stop the rightwingers

from trying to intimidate photographers and TV crews. Cameraman Rob Edgewcombe was assaulted and had his camera bag ripped off him by a huge AWB militiaman. Another photographer, Janine Turner of The Citizen, had her camera ripped out of her hands by a uniformed AWB woman.

SABC cameraman Dennis Goddard was arrested after he angered a policeman by shining the light of

his camera into his face. Asked why Goddard was being arrested, a policeman said: "He was hindering a police investigation."

A police spokesman said later one journalist and one AWB member was arrested during the demonstration.

The controversial film, said to be a statement against censorship, was shown to about 50 people.

Media Bill is a step closer to Parliament

So what 19/8/93

NEGOTIATORS will continue to discuss the draft Bill on Independent Media Commission this week

The commission's main objectives would be to ensure fair treatment of political parties by broadcasters and to ensure that state-financed publications are not used to advance interests of any political party

The draft Bill proposes an independent media commission with six members to be chaired by a practising or retired judge, or a practising advocate or attorney of at least 10 years' experience

At least two members are required to have experience in broadcasting media and at least one in print media.

Members of Parliament, including members of the governments of Transkei, Bophuthatswana, Venda and Ciskei, would not qualify for membership

Other disqualifying factors ensure that members should be as neutral as possible

The draft Bill proposes that the commission appoints two committees.

One is a broadcasting committee to monitor all broadcasts in the country and enforce compliance with guidelines on party elections broadcasts and political advertisements

Meanwhile, the technical committee which drafted the Bill has requested the negotiating council to decide on whether party election broadcasts and political advertising should be allowed on television.

The broadcasting committee will also ensure that broadcasts comply with guidelines of fairness in broadcasts relevant to the election

The other is a committee on state-financed publications and state infor-

mation services

The commission will also

- Monitor broadcasts to ensure fair treatment of all political parties

Broadcasters would be required to afford reasonable opportunities for the discussion of conflicting views.

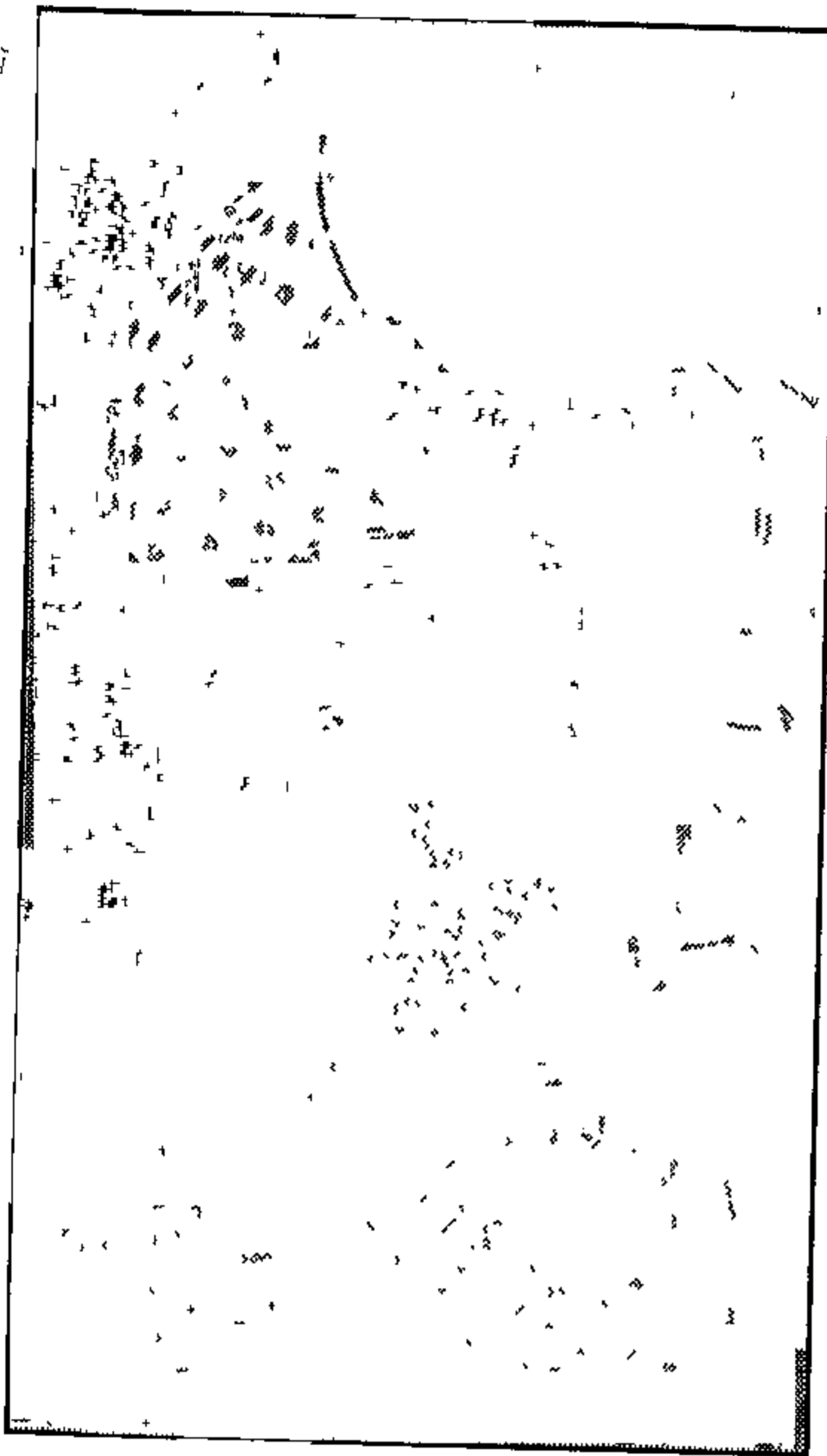
- Decide on time to be made available to political parties and the duration and scheduling of party election broadcasts.

- Monitor state-financed publications and state information services

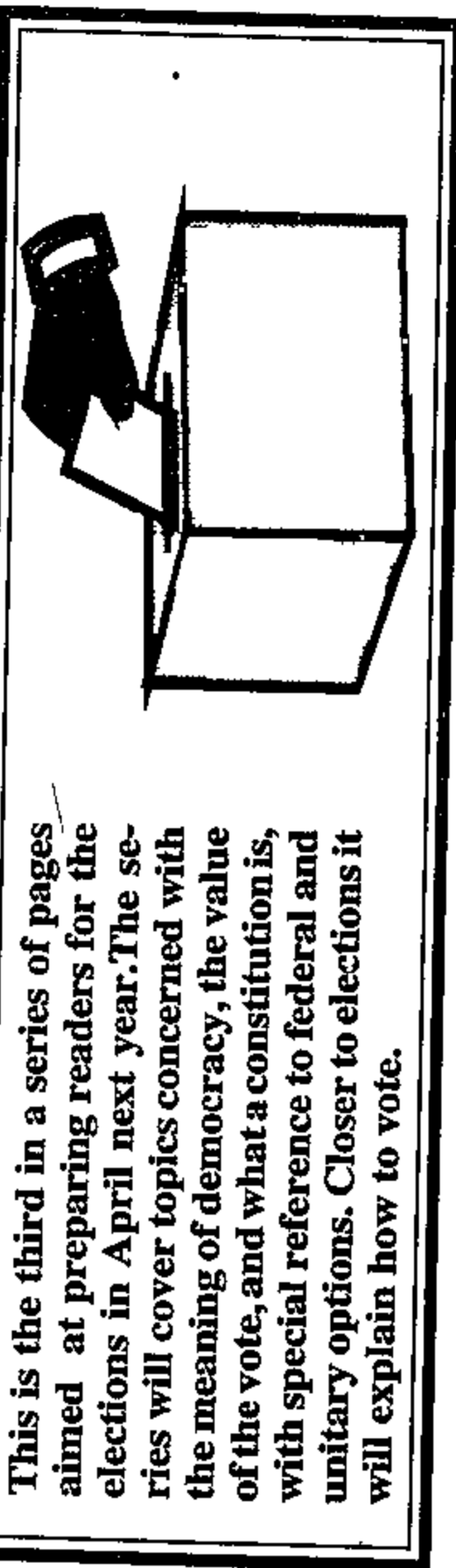
Such publications will be prohibited from running advertisements in support of political parties.

- Appoint experts to assist in the performance of its duties

The commission will also report to the multiparty forum or Transitional Executive Council and the Independent Electoral Commission on its activities



Voting is everyone's birthright.



This is the third in a series of pages aimed at preparing readers for the elections in April next year. The series will cover topics concerned with the meaning of democracy, the value of the vote, and what a constitution is, with special reference to federal and unitary options. Closer to elections it will explain how to vote.

so weten
218/92
**Plea to
journalists**

NAIROBI — African journalists attending a media seminar in the Kenyan capital of Nairobi have been urged to specialise in various fields to ensure efficient and competent reporting. The seminar, which ended on Saturday, was attended by journalists from Zimbabwe, Kenya, Eritrea, Ethiopia, Tanzania, Zambia and Uganda (248)

Delegates were urged to establish an Africa Press Institute "which would assist in the training of journalists to improve the standard and quality of reporting".

They said there was a need to establish a research publication which would reflect communication issues in Africa. — Sapa-
Reuter-AFP.

SPOT

New Nation now a Sunday paper

MARCIA KLEIN

NEW Nation, whose last edition was on July 16, would relaunch as a national weekly Sunday newspaper, editor Zwelakhe Sisulu said.

The new Sunday Nation had a launch print order of 150 000 this Sunday, and its target circulation was 100 000. *8/Day 3/8/93*

Sisulu said the relaunch signalled the paper's understanding "of the powerful role the media could play in the emergence of our new society".

Sunday Nation intended to put forward a positive perspective without ignoring social realities

Sunday Nation would be aimed at SA "movers", those interested in and involved with change *(243)*

Sisulu said in his last New Nation column that the newspaper, though small with a circulation of 60 000, had enjoyed credibility and respect

He said New Nation had become an effective mobiliser against apartheid "when some of the major newspapers were shirking their duty".

Reporter refuses to testify — again

243

CT4/8/93

JOHANNESBURG. — Beeld reporter Mr Andries Cornelissen again refused to testify against ANC youth leader Mr Peter Mokaba yesterday, after the magistrate decided the reporter did not have a legal reason for refusing to testify.

Mr Cornelissen was subpoenaed to testify last month following his report on Mr Mokaba's speech at the University of the Witwatersrand campus when he allegedly used the slogan "kill the Boer"

The magistrate, Mr J le Roux, said the information which the court had received in Mr Cornelissen's defence had been speculative, vague and consisted of possibilities and not facts

Criticised

In response to the argument posed by Mr Cornelissen's attorney, Mr Pieter Botha, that if Mr Cornelissen testified it would give the perception that he was on the side of the police, Mr Le Roux said the perception could also be given that his reasons for refusing were that he had not provided a true reflection of the facts in his report and that he had only come to court for the publicity

Mr Botha eventually requested a postponement after requests for an appeal were refused until judgment was given.

The case continues today — Sapa

Sowetan 4/8/93

Court ruling on reporter

A JOHANNESBURG magistrate yesterday ruled that *Beeld* newspaper reporter Andries Cornelissen has to answer questions on remarks allegedly made by the African National Congress youth leader Peter Mokaba

Cornelissen had refused to answer questions about a report that Mokaba had uttered the controversial slogan "Kill the Boer, kill the farmer" at a meeting at the University of the Witwatersrand in May. Magistrate Mr R le Roux said Cornelissen's grounds were vague and speculative and based on what he and colleagues thought the consequences would be if he answered questions. (243)

Reporter must testify, insists magistrate

By Cheryl Hunter

Beeld reporter Andries Cornelissen again refused to testify against ANC Youth League leader Peter Mokaba yesterday, after a Johannesburg magistrate decided the reporter did not have a legal reason for refusing.

Cornelissen was subpoenaed last month following his report on Mokaba's speech at the University of the Witwatersrand campus when Mokaba allegedly used the slogan "Kill the Boer" (242)

The magistrate, J le Roux, said the information which the court had received in Cornelissen's defence had been "speculative, vague and consisted of possibilities and not facts" and "the mere, remote possibility of reprisals does

not amount to a reason for not testifying".

In response to argument by Cornelissen's attorney, Pieter Botha, that if Cornelissen testified it would give the perception that he was on the side of the SAP, Le Roux said the perception could also be given that Cornelissen's reasons for refusing to testify were that he had not provided a true reflection of the facts in his report.

Le Roux concluded: "What others think can never excuse refusing to testify."

Botha tried repeatedly to appeal against this decision but Le Roux refused, explaining that the defence could not make an appeal until sentence had been passed on Cornelissen for refusing to answer the questions.

Botha eventually requested a postponement in light of the court's decision. The case continues today.

Prof tipped to accept SABC chair

By Paul Bell

Chairmanship of the new SABC board, plagued by controversy since President de Klerk rejected the first nominee, Professor Njabulo Ndebele, two months ago, could be resolved at its third full meeting today.

Observers expect that Ndebele, who took up the appointment as rector of the University of the North a month ago, will be offered the job by board members and will accept.

Ndebele is the most widely favoured for the job. His appointment would also be the strongest signal by the board that it intends to resist any further interference by the Government.

Dr Ivy Matsepe-Casaburri, the acting chairman, might be asked to accept the vice-chairmanship.

Among the issues the board must consider today is the nature and responsibilities of the chairman.

Journalist gets one year in jail

(243) CT5/8/93

Giant step backwards — union

JOHANNESBURG — Beeld reporter Mr Andries Cornelissen, who was sentenced to a year in jail by the Magistrate's Court here for opposing a Section 205 subpoena, has been granted bail of R500 pending appeal

He had refused to answer questions on a report about ANC youth leader Mr Peter Mokaba's utterances of "kill the Boer, kill the farmer" at a University of the Witwatersrand meeting

Mr Cornelissen said it was against his principles to answer the questions and that journalists should be seen to be objective.

Prosecutor Mr G Nel called for the imposition of a sentence which would show the community that journalists were not above the law

He also argued Mr Cornelissen

had wanted to make a martyr of himself by placing his interests before those of the justice process

The South African Union of Journalists has criticised the one-year prison term as a "giant step backwards"

Yesterday the DP said the sentence was appalling

The DP had supported Mr Cornelissen's decision to defy Section 205 of the Criminal Procedure Act, media spokesman Mr Peter Soal said

The NP said the legal position of journalists and their sources should be urgently re-evaluated

Attention should be given to the possibility that the relationship between a journalist and his source could be made equal to that of a legal representative and his client, with certain built-in guarantees against misuse

A free press was an important guarantee for democracy, the NP added

Nasionale Pers yesterday reacted angrily to the sentence, calling it a harsh and shocking term compared to similar previous cases

Meanwhile the ANC has commended Mr Cornelissen for refusing to testify

The ANC said it believed in freedom of the media as a cornerstone of democracy — Political Staff, Sapa

DISPATCH Media, the East London newspaper company, is planning to sell its Press interests to a consortium of its major shareholders, and its investment in M-Net to publishing group Nasionale Pers.

CT 5/8/93
The company will be wound up and delisted and shareholders will be paid about 310c a share in cash.

The company publishes the East London Daily Dispatch and other local newspapers in the eastern Cape and Border region.

The newspaper interests are to be sold to a consortium made up of publishing group TML, Standard Merchant Bank and two Dispatch executives, finance director Alan Beaumont and MD Terry Briceland. The transaction is effective from July 1. The pur-

Dispatch to be sold, delisted (243)

chase price of R22m will be paid on September 30.

Briceland and Beaumont will each own 35% of the consortium's equity.

The consortium, which will not have a stock exchange listing, will finance its purchase with borrowings of R13,5m and equity capital of R8,5m.

TML owns 4,2-million Dispatch shares, equivalent to a 29% equity stake. It will have a 20% interest in the consortium, for which it will pay R1,7m. TML will receive R13m as a cash payout on its Dispatch shares, leaving it with a R11,3m net cash inflow.

Sentencing of *Sowetan* 5/8/93 reporter is condemned

BEELD reporter Andries Cornelissen, who was yesterday sentenced to one year's imprisonment for opposing a Section 205 subpoena, has been granted bail of R500 by the Johannesburg Magistrate's Court pending an appeal.

Cornelissen refused to answer questions on a report he wrote about ANC Youth League leader Mr Peter Mokaba's "Kill the Boer, kill the farmer" slogan at the University of the Witwatersrand a few weeks ago (248)

Cornelissen said it was against his principles to answer the questions and that journalists should be seen to be objective

Prosecutor Mr G Nel called for a sentence which would show that journalists were not above the law. He also said Cornelissen wanted to become a martyr by placing his interests before those of the justice process

There was widespread criticism yesterday of the sentence. The Anti-Censorship Action Group called for an urgent review of Section 205 of the Criminal Procedures Act under which Cornelissen was convicted.

Acag spokeswoman Miss Pat Sidley said Section 205 remained an area of the law which needed urgent attention "so that journalists can do their jobs reporting on events in a rapidly changing society" — *Sapa*.

UK union joins flood of support for journalist

The Argus Correspondent

JOHANNESBURG. — President De Klerk is to be urged by Britain's 25 000-strong National Union of Journalists to intervene in the conviction of Beeld journalist Andries Cornelissen.

The NUJ labelled the sentence a shame for South Africa

Cornelissen was sentenced in the Johannesburg Magistrate's Court yesterday to a year's imprisonment for failing to answer questions about ANC youth leader Peter Mokaba's alleged use of the "Kill the Boer" slogan. Cornelissen is out on R500 bail pending an appeal.

Heading the flood of condemnation unleashed by the sentence was The Star's editor-in-chief and Conference of Editors chairman Richard Steyn who said, "This is an outrageous sentence which takes us back to the bad old days. A prominent politician makes an inflammatory statement, yet the only person who gets it in the neck is a young journalist doing his duty."

ARG 5/8/93 (213)
The verdict has also drawn widespread criticism from political parties and media organisations, with the South African Union of Journalists (SAUJ) slamming the move as a "giant step backwards."

SAUJ general secretary Karen Stander said she was extremely disappointed that a colleague should be sent to jail for being ethical.

"It is selective prosecution."

In a statement, the National Party said Cornelissen was the "unlucky victim" of a law which had not foreseen such a situation.

Praising the NP stance, Beeld said in an editorial today that the case had focused on the need to correct something that was legally wrong.

Labelling the sentence as "shocking", Beeld said the decision by the State to punish the reporter, the newspaper and the media in general was a "tragic mistake".

The ANC yesterday commended Cornelissen for his refusal to testify, saying it believed in freedom of the media as a cornerstone of democracy.

DETACH AND RETAIN THIS ANNOUNCEMENT

Condemnation as reporter jailed

Star 5/8/93

Staff Reporters

President de Klerk is to be urged by Britain's 25 000-strong National Union of Journalists to intervene in the "shameful" conviction of Andries Cornelissen.

The Beeld reporter was sentenced in the Johannesburg Magistrate's Court yesterday to a year's jail for failing to answer questions about ANC youth leader Peter Mokaba's alleged use of the "Kill the Boer" slogan.

Cornelissen is out on R500 bail pending an appeal.

Heading the flood of condemnation unleashed by the sentence was The Star's editor-in-chief and Conference of Editors chairman Richard Steyn, who said. "This is an outrageous sentence which takes us back to the bad old

days. A prominent politician makes an inflammatory statement, yet the only person who gets it in the neck is a young journalist doing his duty."

The South African Union of Journalists (SAUJ) slammed the move as a "giant step backwards"

SAUJ general secretary Karen Stander said she was extremely disappointed that a colleague should be sent to jail for being ethical

"It is selective prosecution. Why have the police not prosecuted rightwingers with their constant hate talk and calls to war?"

Stander said the State regarded media workers as easy targets "For example, the only person they arrested during the fracas at the World Trade Centre was a

Star driver"

The National Party said Cornelissen was the "unlucky victim" of a law that had not foreseen such a situation. The legal position of journalists and their sources should be urgently re-evaluated as a free press was essential, the statement said

Praising the NP stance, a Beeld editorial said today the case had focused on the need to correct something that was legally wrong

Labelling the sentence as "shocking", Beeld said the decision by the State to punish the reporter, the newspaper and the media in general was a "tragic mistake".

The newspaper's reaction also included plans to approach the authorities to change or scrap the law

The DP said it was disgra-

ceful that police should expect journalists to do their dirty work for them in a clearly political case.

Said Cornelissen's father, Andries "My son is a political scapegoat. They picked one person out of thousands able to testify about this case. They have the material on video, why don't they use that?" (243)

The elder Cornelissen has vowed to stand by his son's decision even though he considers journalism to be more dangerous than police work

Jeanette Minnie of the Campaign for Open Media said the real threat was to the free flow of information when courts forced journalists to become policemen

The ANC yesterday commended Cornelissen for his refusal to testify.

Star 6/8/93
Newspaper delisted from JSE

East London's Daily Dispatch newspaper is being delisted from the JSE in a move which will give its present hands-on directors a bigger stake in the company. A new consortium, including the major shareholders of Dispatch Media Limited, will buy the publishing interests of the company for R21,5 million. — Ecna (243)

SOUTH 718 - 11/8/93

Media: Mirrors of war, makers of peace

Can the media counter violence and political tolerance? SOUTH editor GUY BERGER reports from a recent conference:

SOUTH could have published a devastating colour photo last week showing real human blood at Kenilworth's St James church. Instead, we printed a far less emotive, black and white picture of the church — with the only human artefact being a discarded shoe. Did we do right to spare readers'

sensitivities? Or should we have shown in shocking detail just how bad it actually was?

It is exactly these questions about media power and responsibility in reporting violence that journalists wrestled with last weekend.

Engaged in the debates were the Sunday Times' Ken Owen, SATV's Lester Venter and Freek Robinson, SOUTH's Sylvia Vollenhoven, Capital Radio's Normavenda Mathiane and many others.

Those engaging them were public figures like Oscar Dhlomo of the Institute for Multi-party Democra-

cy, Alex Borane of Idasa, Ibrahim Gambari of the United Nations Special Committee Against Apartheid, and Angela King of the UN observer mission in South Africa.

The debaters analysed the role of South Africa's media in calming — or inflaming — passions, and in educating — or confusing — voters.

The key question was what the media could do.

A lot, said one group of voices: and there should be special steps to ensure this. Hang on, said another lot of voices don't place the sole burden on us, and don't start tam-

pering with press freedom.

The "Do Something Urgently" approach was articulated by Natal Witness senior journalist Khaba Mkhize and others.

Papers should be stopped from using headlines like "Two white-on-black killings", he said.

Reporting the slogan "Kill the boer, kill the farmer" sparked several killings of black people by whites, he argued.

Reports on the slogan had single-handedly helped the Volksfront's mobilisation, confirmed another journalist.

"Do Something Drastic" came most clearly from Prof Wimpe de Klerk, brother of the state president and himself a former editor.

South Africa needed a code of conduct for the media in order to stop sensational journalism and to promote more responsible reporting on violence, he stated.

All media should repeat five agreed messages about democracy regularly for nine months, he urged.

Not so, responded lots of other media voices. Don't over-estimate our role, and don't open the door to political control of information.

Journalist unionist

Karen Stander warned

"When you impose responsibility for political tolerance on the media, you are also blaming it for intolerance".

Veteran journalist Allister Sparks said that contrary to Mkhize's view, free reporting of the "Kill the boer" slogan had promoted peace and political tolerance.

Because of the publicity, the ANC had been under pressure to stop members using inflammatory language.

The Peace Accord's Antonie Gildenhuys opposed the idea that peace offenders be punished by being deprived of media coverage.

Academic RW Johnson said diversity would deal with political intolerance. "Balance will come out in the wash."

Retreating under these arguments, the "Do Something" brigade dropped ideas of codes of conduct and restraint.

But in the face of appeals, the "Hands-Off" side conceded.

- Accessible media in suitable languages were essential for the election, and especially in areas that were no-go for different political parties.

- Without presenting false optimism, "good news" and peace activities could be publicised.

- Media should be more robustly and independently critical of all political leaders.

- Voter education, especially in broadcasting, was needed.

- The question of who did voter education remained controversial. Some speakers urged as many diverse efforts as possible, others wanted a one neutral authority.

- Reporting should move away from body-count, "skiet-en-donder" journalism, where police reports were uncritically served up.

- In promoting political tolerance, the press should also promote tolerance of journalists by society itself.

Urging the media to build a democratic culture, ZB Molefe of City Press quoted Chinese strategist Sun Tzu who declared 2500 years ago: "The supreme act of war is to subdue an enemy without fighting".

Star 9/8/93

Reporter's jailing backed

■ STAFF REPORTER

There were very few exceptions to the obligation of citizens to make their testimony available to the community, Witwatersrand Attorney-General Klaus von Lieres und Wilkau said in a statement yesterday.

He was referring to the conviction and sentencing to one year in prison last week of Beeld reporter Andries Cornelissen.

Von Lieres said the reporter had placed his own interests before the interests of the community by refusing to testify, and had therefore been punished.

People could be excused from testifying only if they were diplomats or if it meant breaching the client-attorney relationship or testifying against a spouse, he said.

(243)
Cornelissen was found guilty under section 205 of the Criminal Procedure Act for refusing



Klaus von Lieres ... citizens must testify when told to.

to testify about ANC youth leader Peter Mokaba alleged use of the "kill the boer, kill the farmer" slogan at the University of the Witwatersrand.

Von Lieres said. "It was quite simply not true," as claimed in some media reports, that the po-

lice were misusing the law.

He said there had been only two incidents in the past three years where section 205 had been used in an effort to get journalists to testify.

The other instance was last year when Star writer Patrick Laurence was sentenced to 10 days in jail for refusing to testify.

Von Lieres said: "The community requires that crimes are properly investigated and that everyone gives the evidence they have, if called upon to do so. Without this co-operation, society will slide down the slippery slope to anarchy."

Last week, media organisations around the world objected to both the conviction and sentencing of Cornelissen.

Justice Minister Kobie Coetsee confirmed on Friday that he had called for the record of the court and would be considering it "as a matter of urgency".

Newspapers, magazines the kingpins at TML



TML MD
David Kovarsky

Business Editor

NEWSPAPERS and magazines remain the largest source of income for Times Media, chairman Pat Retief says in the annual report released yesterday

But expansion into related businesses, especially in the area of electronic communication and media, has contributed increasingly to profits

This has helped to offset a decline in advertising revenue in the second half of the year to March, which affected all publishing operations

"The contribution would have been even greater had it not been for the fact that the 087 telephone service, as it was colloquially known, was terminated by Telkom at the end of 1992."

He says the company's major publications, Sunday Times, Financial Mail and Business Day, held their own in a depressed market. The Sunday Times "achieved a circulation of 633 558 on April 18 which was the highest circulation ever achieved on a single day for a South African newspaper."

In the Western Cape, "where the Cape Times, other than editorial functions is managed by Argus Newspapers, the results for the joint operation showed an increase over the previous year

"However an increase in Cape Times editorial expenses resulted in a lower contribution to the group from this source

"The 1992 ComputerFaire was a great success, assisted by overseas manufacturers returning to SA."

Retief says the Legion companies, which operate premium rate tele-

phone services throughout the world, made useful contributions to the group's profits

MD David Kovarsky says the Sunday Times remains the biggest single contributor to group earnings

Discussing the I-Net, information service, formed in 1990 in association with stockbrokers Ivor Jones Roy & Co, Kovarsky says "During the year I-Net expanded its range of services — this has resulted in a continuing increase in subscribers"

TML ended the year with earnings of 172c a share

(243) CT 10/8/93



Nelson Mandela

Mandela may help reporter

The Argus Correspondent ²⁴³
JOHANNESBURG. — ANC president Nelson Mandela has told convicted Beeld journalist Andries Cornelissen he is prepared to take up the prickly issue of subpoenaing journalists with President De Klerk and Justice Minister Kobie Coetsee. *ARG 11/8/93*

Mr Cornelissen's refusal to testify about ANC Youth League president Peter Mokaba's "Kill the

farmer, kill the Boer" chant — resulting in the journalist being sentenced to jail for a year — has again stirred up a debate, which has surfaced over the years without being resolved.

The State and journalists are at loggerheads over whether reporters should be forced to testify in criminal cases, in the same way as ordinary citizens are legally bound to do.

Bleak week for press freedom, on three counts

11/8/93

(243)



Allister Sparks

IT'S been a bad week for the media. First a reporter was sentenced to an unconscionable 12 months' jail for refusing to violate his professional ethics, then the new SABC Board unthinkingly opened the way for future political interference in public broadcasting and the Negotiating Council seems about to adopt a sadly inadequate "press freedom" clause in the new constitution.

The pursuit, conviction and sentencing of Beeld's Andries Cornelissen for refusing to testify about Peter Mokaba's use of the "kill the boer" slogan at an ANC youth rally reveals how little officialdom in this country understands about the role of the press in a democracy — and thus about democracy itself.

Which I suppose is hardly surprising, considering the system in which they were nurtured.

The point is that the free flow of information is fundamental to the functioning of a democratic system. The public has to be fully informed in order to make rational choices.

If people are inadequately informed, if the information they get is incomplete or distorted, then they are subject to manipulation.

As judge Richard Goldstone put it the other day: "Show me a country where there is not a free press and I

will show you a country where human rights are trampled upon."

Transvaal Attorney-General, Klaus Otto Constantin Peter von Lieres und Wilkau — whose other claim to fame is that he was a member of the Steyn Commission which probed the media during the P W Botha era — says if reporters can't be grabbed and forced to testify about what they have seen and heard in the course of their duties, then "society will slide down the slippery slope to anarchy".

What the Attorney-General does not understand is that if reporters are turned into copper's marks in this way, they cease to do their job.

Investigative reporting will be the cause no one with knowledge of graft or malfeasance will disclose what he knows if he believes the reporter is no better than a police informant who is going to turn him in and testify against him.

And reporters will either be barred from meetings like the one Cornelissen attended, or they will be marked men and women if the crowds regard them as potential *impimpits*.

Then South Africa will slide down the slippery slope, not to anarchy but to corruption, bad government and authoritarianism. Where, of course, it has already been.

Von Lieres says it is everyone's public duty to give the evidence they have. Generally speaking, yes, but there are important exceptions. Dip-



Mr Justice Goldstone ... knows the importance of a free press.

lomats are protected, and the police don't as a rule wait outside confessions for the priests to emerge.

The Attorney-General recognises another exception in the sanctity of the client-attorney relationship, which he says is essential to the proper functioning of the legal system. But he fails to recognise that the sanctity of the source-reporter relationship is just as crucial to the proper functioning of the news system.

The bungles associated with the appointment of the new SABC board are now almost beyond counting, but there is one which strikes me as particularly unfortunate. By electing Colin Hicking — one of the seven members appointed to the board as a result of President de Klerk's intervention — as deputy chairman, the

board has legitimised that intervention, and established a precedent.

The whole purpose of the elaborate process of having an independent panel choose the new board after holding public hearings was to insulate the SABC against political interference, now and in the future.

Regrettably President de Klerk could not see the long-term importance of this. He was too concerned with the immediate political numbers game, and so he intervened, demanding changes.

There was not much the board itself could do about that. The President's action put board members in an awkward and embarrassing situation. But at least they could have accepted the *fait accompli* in a spirit of reluctant pragmatism without endorsing De Klerk's interference by electing one of his number to the deputy chairmanship.

That strips away the last of the insulation. With political interference now underwritten by the board itself, the way is open for Nelson Mandela to claim the right of precedent to do the same when he becomes President next year.

Which brings us to the draft Bill of Fundamental Rights for the new constitution, which contains a seriously inadequate clause on freedom of speech and the media. The putative defenders of democracy have been more concerned about the preserva-

tion of property rights. The clause states "Every person shall have the right to freedom of speech and expression which shall include freedom of the press and other media."

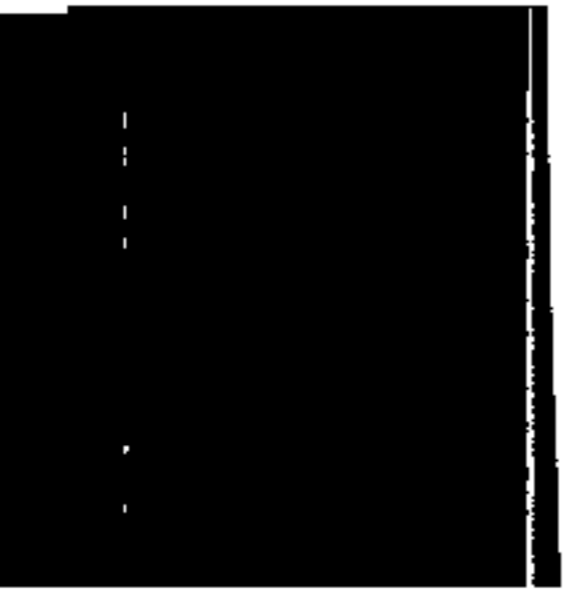
The inadequacy becomes apparent when one compares it with the First Amendment of the United States Constitution, which states "Congress shall make no law abridging the freedom of speech, or of the press."

The difference lies in a critical shifting of the onus of proof in a test case. Our clause as it stands would require an individual complainant to prove that a new law infringed his right of free expression, that particular moment.

It would not be enough to say his rights might be infringed some time in the future.

The American wording places the burden of proof on the legislator. There would be a *prima facie* case of infringement and the body passing the new law would have to justify it. The clause also caters for contingencies which may be impaired in the future.

Perhaps the most striking illustration of the difference is that Section 205 of the Criminal Procedure Act the law under which Andries Cornelissen has just been sentenced to jail would almost certainly be declared unconstitutional under the US First Amendment.



Debate over convicted Beeld reporter goes on

Mandela to raise section 205 case

Star 11/8/93

■ BY HELEN GRANGE

ANC president Nelson Mandela has told convicted Beeld journalist Andries Cornelissen that he is prepared to take up the prickly issue of subpoenaing journalists with State President F.W. de Klerk and Justice Minister Kobie Coetsee.

Cornelissen's refusal to testify about the ANC Youth League president Peter Mokaba's "Kill the farmer, Kill the Boer" chant — which resulted in the journalist being sentenced to jail for a year — has again stirred up a debate which has surfaced at intervals over years, without being resolved.

The state and journalists are at loggerheads over whether reporters should be forced to testify in criminal cases, in the same way as ordinary citizens are legally bound to do.

Witwatersrand Attorney-General Klaus von Lieres, in an in-

THERE is dissension in legal circles over subpoenas served on journalists trying to maintain their credibility.

(243)

terview this week, was adamant that journalists were not entitled to a special privilege, being equally duty bound as any citizen to assist the state in solving a crime.

This view has been strongly contested by senior Webber Wentzel law firm partner Peter Reynolds, who said urgent attention should be given to legal protection of journalists against section 205 of the Criminal Procedure Act (allowing the court to subpoena a recalcitrant witness) — perhaps by means of "shield laws" similar to those practised in some American states. He said section 205 had been

misused against journalists in South Africa, with the courts using it as a first rather than last resort.

Von Lieres, while conceding that section 205 had been misused in the past, said there had been a "dramatic change" in the attitude of his office.

It had only been used when no other witness could similarly assist the case.

Asked why Cornelissen was subpoenaed instead of one of the 800 to 1 000 people attending the meeting where Mokaba spoke, Von Lieres said the SAP could not identify one other witness.

Von Lieres said he accepted that journalists had an interest in staying out of the courts, but society also had an interest in seeing criminals brought to book.

These interests had to be weighed up against each other when deciding to issue a charge under section 205.

Section 205
under attack

SECTION 205 of the Criminal Procedures Act, which obliges people to give evidence in court proceedings, should be applied with great care in the case of journalists, the Newspaper Press Union said yesterday.

Reacting to the 12-month sentence handed down to Beeld reporter Andries Cornelissen last week, the union said journalists were reluctant to disclose their sources because, to get worthwhile information, confidentiality needed to be maintained (243)

Law enforcement authorities should exhaust all other reasonable channels before demanding information from journalists.

The NPU and other bodies would approach the authorities to amend Section 205 — Sapa.

Media commission to be limited to 'umpiring'

Biday 13/8/93

AN INDEPENDENT media commission would be limited to being an umpire to ensure political parties' access to public and commercial broadcasters during the election was equitable.

Speaking at the Campaign for Open Media AGM yesterday, media lawyer David Dison said the commission was necessary to level the political playing field

(243)

Some points in the ninth draft of the Independent Media Commission Bill, such as the defini-

MARIANNE MERTEN

tion of a political party and whether the TBVC states would fall under the commission's jurisdiction, needed clarification.

Newspapers were excluded because they were able to regulate themselves, Dison said

After the election, the commission would dissolve and an independent broadcasting authority would take its place

Violent racism at march

SOUTH 14/8 - 18/8/93

By Barbara-Ann Boswell and Vuyelwa Motlali

VIOLENCE and blatant racism marred a march by members of the Pan Africanist Student Organisation (Paso) to the Caledon Square police station on Tuesday.

About 500 students marched to the police station demanding the release of three Pan Africanist Congress (PAC) members held in connection with the St James massacre. (243)

The protest was disrupted when one of the marchers, a 16-year old Malizo High School pupil was arrested for allegedly stealing spectacles from a bystander.

A scuffle ensued when marchers tried to prevent police arresting the youth and police sprayed teargas to disperse the crowd.

In one incident SOUTH photographer, Mr Yunus Mohamed, was hit in the groin by a brick and called a "settler".

Said Mohamed "I was taking pictures right in front. Someone threw a brick at the police. I turned to run but ran into a barrage of flying bricks."

"A brick hit me in the groin and as I went down, one of the protesters shouted, 'One settler down!'"

Later one of the leaders of the protest approached Mohamed and



IN AGONY: South Photographer Yunus Mohamed after being hit in the groin by a brick thrown by protesters calling him a 'settler'
Photo Eric Miller

apologised for the incident saying "the brick wasn't meant for you".

Another reporter, Ms Ayesha Ismail, was verbally abused by a protester when she touched him. He shouted and swore at her not to touch him because she was a "coloured settler".

Mr Andile Gusha, national finance secretary for the Azanian

National Youth Unity (AZANYU) and Mr Patrick Baba regional secretary of Azanyu, negotiated with police for the release of the youth.

While waiting for the youth's release, a petition calling for the release of the three suspects in the Kenilworth massacre, was read.

After a brief appearance in court, the youth was released and

the crowd dispersed

Two white women were hysterical after being attacked and one robbed by a mob returning from the police station.

An American tourist, Mr Ashley Stone, said he was hit in the face and robbed of his spectacles by the mob. "This is ridiculous, I support their cause," he said.

S/ Times CC Metro
Suid Afrikaan undergoes change

15/8/93
THE independent Afrikaans magazine, Die Suid Afrikaan, started 10 years ago, is to undergo a complete transformation from next week.

Its new image is still under wraps, and will be unveiled at a ceremony for invited guests in Cape Town on Wednesday.

The first edition will sport a drawing done exclusively for the magazine by ANC secretary-general Mr Cyril Ramaphosa, says a spokesman.

The magazine will henceforth be

under the management of its new editor, the reknowned South African poet, Antjie Krog and Jennifer Sorrell, architect and prize-winning designer, who is also editor of ADA magazine. (243)

With the first edition of the "new" Suid Afrikaan will also be released the findings of a special investigation led by Idasa's Dr Frederik Van Zyl Slabbert on "The Reconstruction of the State" published in the Suid Afrikaan's regular supplement: "DSA In Depth".

Media sits down to study its role

The media is bound to play a crucial role in any general election – especially in a country which has yet to hold one! Yet press freedom remains a frail concept in SA, as highlighted by the recent conviction of *Beeld* journalist Andries Cornelissen for refusing to testify in court about ANC Youth League president Peter Mokaba's "Kill the farmer, kill the Boer!" chant. The sentence – a year in jail – generated a storm of protest against Section 205 of the Criminal Procedure Act – the notorious law which was brought down on Cornelissen. Two weeks ago a symposium in Somerset West near Cape Town examined another aspect of the media. This was an intense event which rendered a much harsher self-examination of the media than the crass sentencing of Cornelissen. City Press deputy editor ZB MOLEFE was there.

It is quite a happening when the South African media sits down and examines itself critically, especially around a subject that is gradually tearing the South Africans apart – political tolerance!

That was the setting two weeks ago in Somerset West at a three-day *bosberaad* co-sponsored by the UN Special Committee Against Apartheid, Idasa and the Institute for Multi-Party Democracy (MPD).

More than 80 delegates took part, including South African opinion makers, media experts, academics, political scientists, unionists and representatives from the UN Observer Mission in SA (Unomsa), the OAU and the Commonwealth Observer Group in SA

Adding weight to the occasion were Unomsa members Dr Dabi Khumalo (PAC) and Tebogo Mafole (ANC). *CIPress 15/8/93*

Symposium chairman Prof Ibrahim Gambari and his co-chairman, Idasa's Dr Alex Boraine, opened up the show by stating that the event "augurs well for the future of South Africa" He called it "a pilgrimage towards that goal (political tolerance)"

MPD executive chairman Oscar Dhloomo was blunt: "The struggle to find the order of peace is proving just as difficult. Some of us are trying every trick to delay the dawn of democracy. No democratic post-apartheid South Africa can be built on fear and intolerance. We are called upon to trust the democratic process, to see it delivers what is expected of it"

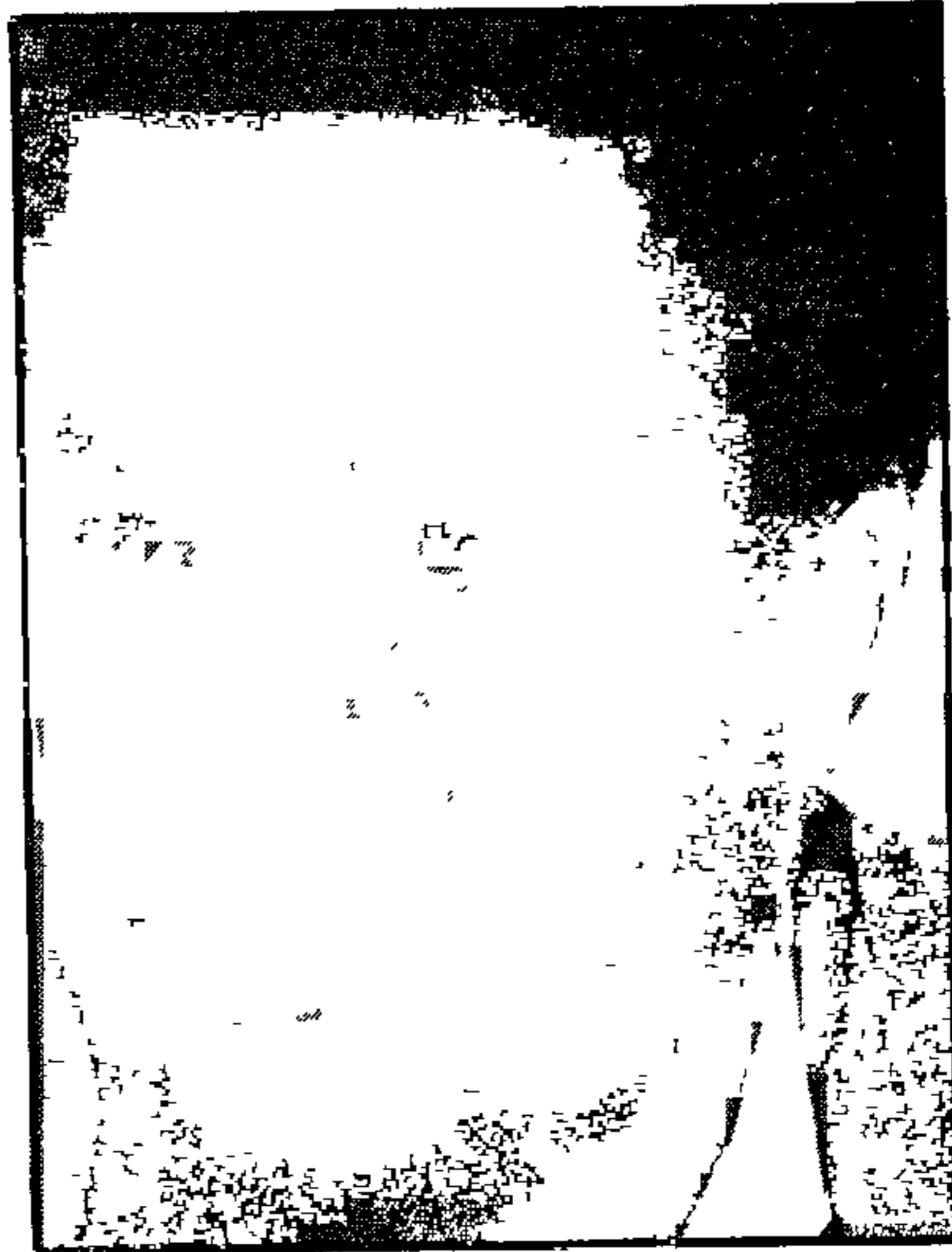
Unomsa's Angela King delivered a frightening catalogue of South African events

"We have observed more than 8 000 events. Some were dramatic. For instance the assassination of Chris Hani. We have heard military leaders threatening war.

This month we have seen the highest number of deaths. We have concluded that the source of violence is socio-economic conditions and the lack of tolerance," said King.

Journalists attending included Ken Owen (*Sunday Times*); Richard Steyn (*The Star*); Allister Sparks (Institute for the Advancement of Journalism); Max du Preez (*Vrye Weekblad*); Khaba Mkhize (*Natal Witness*); Freek Robinson (*SABC*); Sylvia Vollenhoven (Public Broadcasting Institute); Guy Berger (*South*) and Nomavenda Mathiane (*Capital Radio*)

Human Sciences Research Council vice-president Lawrence Schlemmer made this statement in his paper: "While clear-cut prescriptions are impossible to make, opinion makers and the media must understand



CHANTER ... ANC youth leader Peter Mokaba featured in the prosecution of a journalist.

first and foremost that the kind of society most South Africans need and want depends on far more than refined constitutions, bills of rights, a universal franchise and good intentions." (243)

South African Union of Journalists general secretary Karen Stander looked at the role of media reporting in fostering tolerance and democracy

She said "We want peace, we want a country which upholds libertarian values and is a model of political tolerance, which allows space for each of us to hold and express our own views no matter how eccentric those views might be."

Two panels sat down to examine the media to assess its effectiveness in creating a culture of tolerance amid strife in SA.

"There was a feeling that the media could also play an educative role in translating and decoding some constitutional and political concepts which are taken for granted by journalists, but might be more difficult to comprehend for the majority of people we want to reach," said one panelist.

The upshot was that political leaders had to be encouraged to address their audiences "in a language they could understand"

The other panel went even closer to the bone in making recommendations which covered reporting on political events, voter education and learning from the experiences of other countries.

The panel recommended that the media should seek to create tolerance through comment, editorials, leader page articles and programmes on radio and TV

The panel also warned the media to avoid simplifications and undue hype in their news reporting.

The panel encouraged fair, balanced and in-depth or "contextual" reporting.

The last words belonged to Professor Gambari, who said. "I am confident that, once South Africa has overcome its present difficulties, it has much to offer Africa and the world."

Investors to share in City Press growth

City Press 15/8/93

BLACK investors will in the near future be invited to build on the successes of City Press.

Ton Vosloo, executive chairman of Nasionale Pers, City Press' parent company, said this on Friday in his report to the firm's AGM in Cape Town.

Vosloo said black investors would be invited to share in City Press' phenomenal growth as soon as the newspaper turned a good profit.

He said that shareholders satisfied with the successful trade year of the company's magazines sector, should have even more reason to be satisfied with the progress made by City Press.

He said City Press had experienced remarkable circulation growth and at times sold more than 300 000 copies a week, up from about 130 000 a year ago.

A new market strategy, linked to lively editorial initiatives, had turned the newspaper into a viable proposition. Its potential remains very high, considering the extent of the market it serves.

"It remains the intention of the Board of Directors to invite our black fellow countrymen to participate in building up City Press

"We don't want to extend the invitation before the newspaper has been well and profitably established. That day is approaching fast," Vosloo said.

Commenting on *New Nation's* move into the Sunday market (now called *Sunday Nation*) Vosloo said: "Our team welcomes competition."

Political comment and newsbills by K Sibya, headlines and sub-editing by B Keswa, both of 2 Herb Street, New Doornfontein, Johannesburg.

Police general cites Watergate 'nightmare'

B1 Day 17/18/93

BLOEMFONTEIN — The attitude that journalists had a duty under the cover of privilege to publish information, whether it was true or not, had become a nightmare since Watergate, the Appeal Court in Bloemfontein heard yesterday

The submission was made during police forensics chief Lt-Gen Lothar Neethling's appeal against the rejection of his defamation actions against the Vrye Weekblad and The Weekly Mail.

Neethling claimed R1m from Vrye Weekblad editor Max du Preez, Caxton Ltd, Wending Publications, reporter Jacques Pauw and Vrye Weekblad newspaper for reports on November 17 1989 and December 1 1989.

The reports were based on former police captain Dirk Coetzee's allegations about murders and terror attacks by the SAP special unit at Vlakteplaas. (243)

Neethling claimed R500 000 from The Weekly Mail for a report in the November 24-30 1989 issue, also based on claims by Coetzee

The claims were rejected by Judge J C Kriegler in the Rand Supreme Court on January 19 1991.

Yesterday S A Cilliers SC, with M Witz, for the general, submitted that just because a journalist had what he believed

was a good source, it did not give him a privilege greater than anyone else's

It depended on whether there was a duty to publish. The greater the defamation, the more care should be taken, Cilliers submitted. It could not be said that a journalist had a duty just because he was a journalist.

Cilliers submitted there had been no duty to publish Coetzee's allegations. If ever there was an unreliable source, it was Coetzee.

If it had been the newspaper's mission to expose malpractices in the security police, it could have done this just as well without involving Neethling, who was not a member of the security force.

He submitted there was a difference between the interest of the public and public interest. The latter had been created by Coetzee's allegations, which included that Neethling had supplied poison for the murder of certain political figures.

Cilliers also submitted comprehensive argument on the onus of proof or rebuttal in a defamation case.

The appeal, which is set down to last until tomorrow, is being heard by Chief Judge Corbett, Judge Hoexter, Judge Nestadt, Judge Nienaber and Acting Appeal Judge Nicholas — Sapa.

Star 17/8/93

Newspapers 'biased on unrest'

(243) ~~(214)~~

■ BY JAMES MITCHELL
BOOKS EDITOR

Newspapers are attacked for "playing down certain types of violence, in particular violence against black councillors and the police", in a publication by the SA Institute of Race Relations
Over one seven-month

period monitored by the institute, it alleges, "there were more than 400 attacks on councillors and the police, but more than half of them were not reported in any one of the six English-language papers published in Johannesburg

The booklet, *Political Violence in South Afri-*

ca, by the institute's director, John Kane-Berman, links this to a process of "stigmatisation"

In the days of apartheid, he writes, John Vorster "so stigmatised liberals that most whites regarded them as communists". The same tactic, he says, worked for the liberation movements

Mokaba: I'm still waiting for police

By EZRA MANTINI

ANC Youth League leader Peter Mokaba says he is prepared to tell the police all they want to know about his "kill the Boer, kill the farmer" slogan. But he has not been questioned.

Beeld reporter Andries Cornelissen, however, has been sentenced to one year's imprisonment under section 205 of the Criminal Procedure Act for refusing to testify about Mr Mokaba's statements at a meeting at Wits University in May. (243) (H)

Cornelissen was contacted by police after Beeld published his report on the meeting. He refused to make a statement and was then charged.

"The police know where

I am," Mr Mokaba said yesterday "I could have given them the truth of what I said — and why. I feel pity for the reporter and, if possible, I am prepared to go to jail for him."

Witwatersrand police spokesman, Warrant Officer Andy Pieke, said it was not necessary to question Mr Mokaba because the police had all his speeches on tape and film.

"It is the attorney-general who should decide whether we should question Mr Mokaba," he added

"The situation about the reporter does not concern us. The court decided to sentence him — not us."

Witwatersrand attorney-general Klaus von Lieres was not available for comment.

Coetzee's evidence was not credible, court told

Bliday 18/8/93

BLOEMFONTEIN — Evidence by former police Capt Dirk Coetzee on murders and terror attacks by the SAP special unit at Vlakplaas and on the supply by police forensics chief Lt-Gen Lothar Neethling of poison for the murders, should have been rejected as not credible, the Appeal Court heard yesterday.

This was submitted by S A Cilliers SC with M Witz, in the appeal by Neethling against the rejection of his defamation actions for R1,5m against the Vrye Weekblad and Weekly Mail. (243)

The claims arose from reports in the newspapers in November/December 1989. They were rejected by Judge J C Kriegler in the Witwatersrand Local Supreme Court on January 19 1991.

Cilliers submitted that a pre-trial agreement in the damages claim did not make any of the extra-curricula evidence (to the Harms commission) admissible in the defamation action, other than as proof that the record of the commission correctly reflected what was said at the commission, unless there was confirmation that what the commission was told was true.

That evidence, given by Coetzee and others, had not been tested before Judge Kriegler.

The court was told that the factual point of dispute in the case was whether or not Neethling had knowingly provided poison for murder purposes. It was submitted that all the findings in this regard rested on inferences and that such findings were not justified on the grounds of Coetzee's evidence nor on the basis of inference.

Cilliers comprehensively dealt with numerous improbabilities in Coetzee's evidence and submitted that his whole story was a fabrication.

The weaving in of the alleged use of poison and of Neethling's alleged supply of it was not covered by the facts and must be stamped as highly unlikely, it was argued.

Cilliers submitted that the main grounds on which Neethling's credibility was rejected was a misquote in the Johannesburg court of what he had testified before the Harms commission.

When the court reconvenes today counsel for the newspapers will start his argument. — Sapa.

Media trust head chosen (243)

DURBAN — Journalist and media educator Mr Clive Emdon was yesterday appointed director of the Independent Media Diversity Trust.

CT18/8/93

Neethling takes Mail case on appeal

Weekly Mail Reporter WM 20/26/8/93

FORMER police forensic chief Lieutenant-General Lothar Neethling took his failed defamation case against the *Weekly Mail* and *Vrye Weekblad* to the Appeal Court in Bloemfontein this week, arguing that he had been libelled by reports in the newspapers in late 1989.

Neethling's action follows the rejection of his claims by the Witwatersrand Supreme Court in 1991. Mr Justice JC Kriegler found then that the general had not been defamed by reports claiming he had supplied poisons to police death squads based at Vlakplaas



Lothar Neethling

The allegations were made by former Vlakplaas commander Dirk Coetzee

Legal argument in Bloemfontein centred around Coetzee's credibility, with counsel for Neethling arguing that he was an unreliable source. This should have led the newspapers to avoid publishing his claims.

Counsel for the newspapers argued that Coetzee's position within the police had given his allegations sufficient weight to justify publication, which was in the vital public interest.

Press ignored 'main issues'

Own Correspondent

DURBAN. — The newly-appointed director of the independent media diversity trust, Mr Clive Emdon, has lashed out at the "mainstream press" for ignoring important issues during the 1980s and '90s. (243)

Speaking at his farewell function at Technikon Natal, the former journalism department head said the media had failed to report the rise of the unions in the 1970s and '80s and to reflect the importance of the growth of the United Democratic Front in Natal. CT2118193

They had also failed to examine assassinations and violence in "any consistent way"

~~243~~ (243)
Dilute media
power — PAC

Own Correspondent

JOHANNESBURG. —
The power of the media
should be diluted, PAC
negotiator Mr Barney
Desai said yesterday.

Mr Desai, speaking in
the negotiating council
debate on the Independ-
ent Broadcasting Au-
thority said this during
discussion of "cross me-
dia control".

He said the media
should be served notice
that they were too pow-
erful and that this was
going to be changed.

The draft bill's recom-
mendations serve to lim-
it newspapers from own-
ing controlling interests
in the electronic media,
and the electronic me-
dia from controlling
newspapers CT 24/8/93

Newspaper sales are rising

Mandy-Jean Woods
Business Staff

(243)

ARC 28/8/93

NEWSPAPER and magazines' circulation figures are showing heartening signs of growth even with the poor socio-political economic trends generally, according to The Media Shop managing director Dick Reed

Significantly, it has been in the major urban centres where the greatest daily newspaper circulation growth has been achieved, he says "This could possibly be attributed to the growing urbanisation trend

among the population"

However many newspapers have resorted to running consumer competitions to help boost flagging circulations. How much of a role news has played compared to the lure of lucrative competitions in attracting readers cannot be determined

Daily newspapers in the Argus Group stable show steady increases in circulations, with The Argus up 8.5 percent the first six months of this year compared to the same period last year (to 110 777). Sowetan

up 4.1 percent for the same period (234 096 and The Star up 3.3 percent (216 182)

The Daily News increased by 6 percent in the same period, to 99 574

City Press and the Sunday Star showed the most impressive gains for weekend newspapers, hitting 45.3 percent (to 232 518) and 24.1 (to 110 038) respectively

Daily newspapers in the Nationale Pers stable performed well, with Die Burger showed the greatest growth, with its circulation up 13.6 percent up

in this reporting period (January to June 1993, to 84 251) compared to the same period last year and Beeld up 11.9 percent in the same period of 112 147

"Weekly magazines have fared less well, with the outstanding exceptions being You (up 14.4 percent to 265 524) and Huisgenoot (up 3.8 percent to 534 523) where Nationale Tydskrifte have obviously hit the right formula," Reed says

Other magazines showing strong growth are Getaway, Style, Bona and Penthouse

Training vital to SA's media

(243) AOC 28/8/93

THE media industry in South Africa will have to place far greater emphasis on appropriate training and staff development in order to meet the growing demands and sophistication of researching, planning and buying media space.

This is the opinion of Lyndall Campher, deputy managing director of Eurospace Africa.

Reasons for the critical shortage of training people in the industry included poor lecturing standards at the AAA's media courses, the media business becoming much more analytical, thus limiting its appeal as a career, and the fact that many clients place the creative process much higher on their list of priorities.

Star 28/8/93

Papers, magazines buoyant

243

AMID a degree of uncertainty in socio-political economic trends generally, the latest audited circulation figures for a number of newspapers and magazines show heartening signs of growth, according to The Media Shop managing director Dick Reed.

Significantly, it has been in the major urban centres where the greatest daily-newspaper circulation growth has been achieved, he says.

"This could possibly be attributed to the growing urbanisation trend among the population."

However, many newspapers have resorted to running consumer competitions to help boost flagging circulations

Steady

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ABC circulation figures

Daily newspapers	Jan - Jun '93	Jul - Dec '92
The Argus	110 777	105 005
Beeld	112 147	101 545
Die Burger	84 251	74 513
Business Day	32 943	33 177
Cape Times	58 728	58 323
The Citizen	134 863	135 234
Daily Dispatch	35 940	35 361
The Daily News	99 574	96 294
EP Herald	29 767	28 263
Evening Post	18 116	18 856
Ilanga	130 779	131 407
The Natal Mercury	60 692	59 274
The Natal Witness	28 014	27 954
Pretoria News	25 822	24 394
Sowetan	234 086	213 897
The Star	216 182	206 219
Die Volksblad	27 167	26 946
Weekly newspapers	Jan - Jun '93	Jul - Dec '92
City Press	232 518	223 620
Rapport	398 545	364 647
The Sunday Star	110 038	101 360
Sunday Times	567 934	510 572
Sunday Tribune	128 105	125 710
Weekly Mail	30 102	28 393
Post Natal	52 202	50 750
New Nation	59 894	58 153
Average	Average	Average

The Daily News increased by 6 percent in the same period, to 99 574

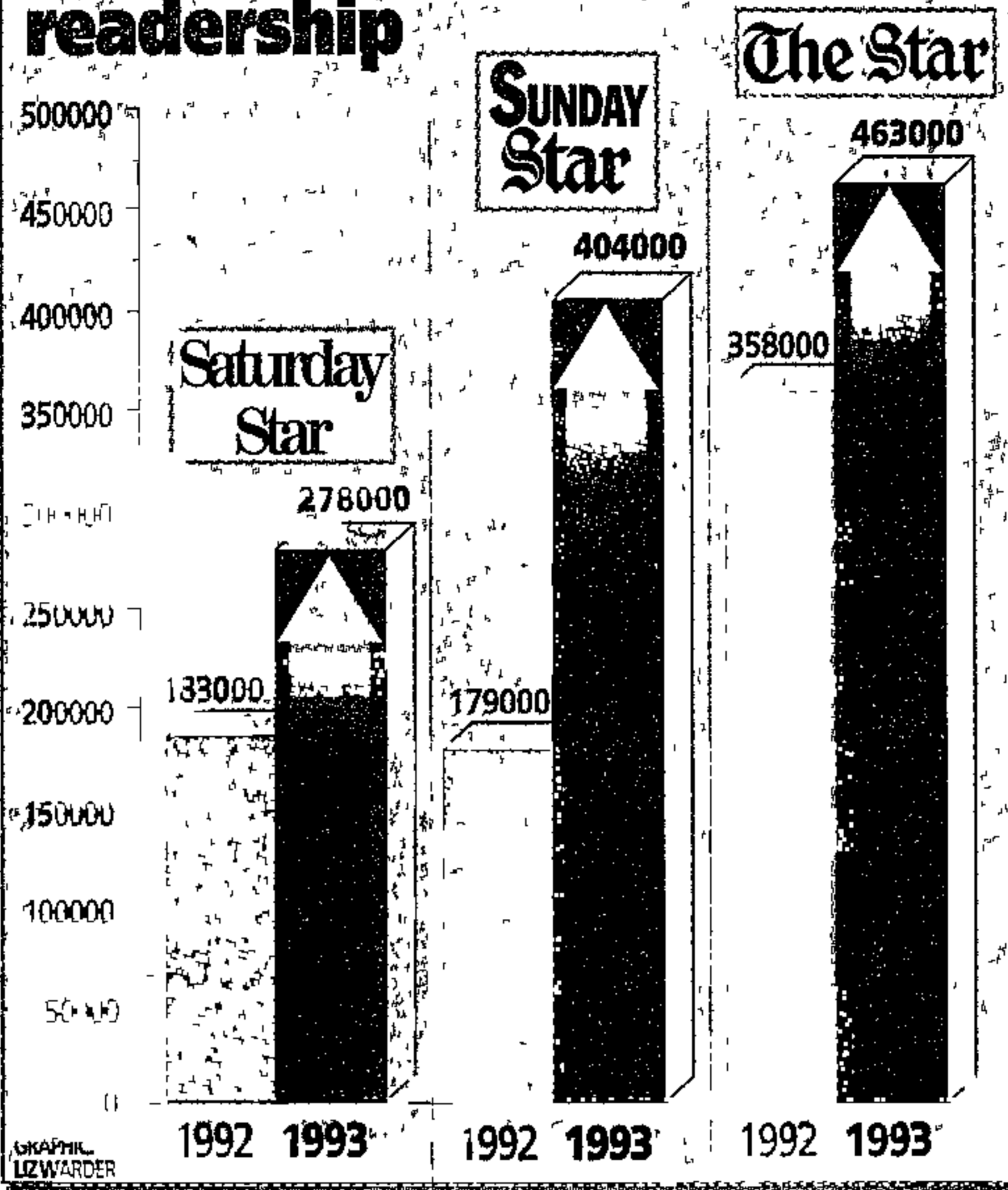
City Press and the Sunday Star showed the most impressive gains for weekend newspapers, hitting 45,3 percent (to 232 518) and 24,1 percent (to 110 038) respectively.

"Weekly magazines have fared less well, with the outstanding exceptions being You (up 14,4 percent to 265 524) and Huisgenoot (up 3,8 percent to 534 523) where Nationale Tydskrifte have obviously hit the right formula," Reed says

Other magazines showing strong growth are Getaway, Style, Bona and Penthouse

"These trends show success for niche or lifestyle publications, as well as the success of the mass circulation weeklies. Given the competition for consumers' time and budget presented by television, radio and cinema media, it is very heartening for publishers — and advertisers — to note the audited growth in sales of so many newspapers and magazines"

Surge in black readership



29% more black readers of The Star

Amps 1993 — based on actual census figures as opposed to last year, when 1980 census projections were used — shows that the daily Star has increased its black readership by 29 percent. Overall growth in the black population is 5.2 percent.

Black readership of The Star has jumped from 358 000 to 463 000. The Star has also performed well in terms of white/coloured/Indian (WCI) readers, with 397 000 against 283 000. In the same market, Business Day has shed readership, particularly in the Transvaal, where it is down to 69 000 readers.

Together with The Star's readership increases, a further fillip for advertisers is that 95 percent of the Star's WCI readers and 80 percent of black readers live in metropolitan areas.

The Saturday Star has shown a 52 percent surge in black readership, from 183 000 in 1992 to 278 000 in 1993. The newspaper has a 39 percent WCI and 61 percent black readership, as opposed to the Saturday Citizen's 19 percent WCI and 81 percent black readership.

The Saturday Star also has a 44 percent upper-income black

readership profile, compared with the 33 percent of the Saturday Citizen, a gap which has widened extensively.

A significant statistical feature of Amps 1993 is the increase in black readership of the Sunday Star, which more than doubled to 404 000 (1992: 179 000).

In the Transvaal, the Sunday Star boosted black readership from 173 000 to 345 000. Sunday Times Transvaal black readership was down from 761 000 to 585 000. (243)

Total

Although WCI readership remained fairly static for the daily Saturday and Sunday Star, total readership has increased to 860 000 (daily), 459 000 (Saturday) and 587 000 (Sunday).

According to Star general manager Graeme King, Amps also indicated that The Star was attracting black readers from higher-income sectors, with a metropolitan rather than rural bias.

"The outstanding performance of the Sunday Star, in particular, makes it very clear that there has been a swing in black readership away from the Sunday Times," said King.

Daily News wins top award

THE Daily News has been awarded the Frewin Trophy for 1993. This prestige award by the Newspaper Press Union is for excellence in design and printing. It is competed for by all of South Africa's major dailies. *Sowetan* 1/9/93

The win is a first for *The Daily News*. The Frewin Trophy judging this year also gave Natal Newspapers a remarkable one-two victory as the *Natal Mercury* was placed second — for the 2nd year running. Cape Town's *Die Burger* was third — *Sowetan Reporters and Sapa*.

(243)

SAP 'reluctant' to pressure reporters

Star 2/9/93

■ STAFF REPORTER

Police were reluctant to use the controversial section 205 of the Criminal Procedure Act to obtain information from journalists, SAP Commissioner-General Johan van der Merwe said at a Pretoria press briefing for editors this week.

Replying to a question from the editor of The Star, Peter Sullivan, Van der Merwe said he did not like invoking section 205. While not wanting to pass the buck, responsibility did not lie with himself or the police, but with attorneys-general.

The general said he understood that talks were taking place with Justice Minister Kobie Coetsee on the matter.

"We have instructed all our divisions that

where we can prevent it, (serving section 205 on journalists), we should not use it," he said. (243)

Responding to a question about the recent jailing of a Beeld journalist for refusing to testify under section 205 about allegations that ANC youth leader Peter Mokaba had used the phrase, "Kill the Boer, kill the farmer", at Wits University, Van der Merwe said although more than 1 000 people had attended the meeting, police were unable to find a single other person with notes who could give evidence. The police had a duty to offer the reporter's evidence to the attorney-general.

Van der Merwe said police had spoken to Mokaba, but an accused could not testify against himself.

'Time for talks now on regional setups'

B/Say 2/9/93

BLOEMFONTEIN — The time was ripe to begin negotiating regional constitutions, Regional and Land Affairs Minister André Fourie told the NP's Free State congress yesterday.

Fourie said many of government's original proposals on regionalism and undertakings it had made during the referendum were already included in draft documents being discussed at the World Trade Centre.

One demand was for strong regional autonomy, and had culminated in provisions in the proposed interim constitution which envisaged adoption of regional constitutions. Although boundaries of new regions had not yet been decided, discussions on regional constitutions could begin now, he said.

Government had already begun to prepare for autonomous regions by discussing rationalisation of adminis-

TIM COHEN

trative functions with existing regional administrations. He said the discussions were not intended to preempt constitutional discussions, but were focused on administrative rationalisation only.

Local Government Minister Tertius Delport addressed concerns of delegates on how financing of merged local governments would be arranged. Government was under pressure to table legislation this year on the merger of local government, but he said only that several models had been tabled.

In the final constitution, legislation should provide for local governments to agree on how they wanted to organise their affairs. If local authorities did not arrive at agreements, legislation would force the issue.

'Freedom of information laws vital'

B/Say

LLOYD CUTTS

SA NEEDED freedom of information laws to ensure that political and state authorities could never again act without public accountability, International Federation of Journalists general secretary Aidan White said yesterday.

White told an SA Union of Journalists meeting in Johannesburg: "If the new constitution now in the making is to have a lasting impact it must put

in place the policies for the creation of an open society."

Such laws should contain a freedom of information law which made all official documents and information accessible, except in a few clearly defined instances. Laws should protect journalists to maintain confidentiality of sources, he added.

Teachers fail to return to work

KATHRYN STRACHAN

HUNDREDS of teachers in Soweto stayed away from school yesterday despite the SA Democratic Teachers' Union (Sadtu) claim that its members in the area had accepted the national executive decision to suspend the strike.

Soweto Education Co-ordinating Committee co-ordinator Lilly Mphuthi said teacher attendance at high schools across the township was "very poor" even though the union had announced the suspension of the nationwide strike six days earlier.

The committee could not understand why teachers were still staying away from school, she said, adding that it was trying to obtain clarity on the union's position.

Sadtu Soweto branch spokesman Simon Mabusu said the process of reporting back the decision to union members had been completed and schooling had returned to normal. Claims of poor school attendances were untrue, he said.

Sadtu southern Transvaal administrator Themba Mazibuko said the union was still assessing whether the decision to suspend the strike had been accepted by its members throughout the region.

Department of Education and Training spokesman Corrie Rademeyer said he had "serious doubts" about the extent of schooling taking place across the country, and confirmed attendances at Soweto schools were particularly erratic.

Star 3/19/93
243

'Journalist needed for probe'

The Witwatersrand Attorney-General says the police inquiry into Peter Mokaba's alleged incitement, with his "kill the Boer, kill the farmer" chant, cannot be completed unless a journalist testifies.

The A-G's office said in a statement yesterday it was responding to queries on whether the ANC Youth League leader was to be prosecuted after his speech at the University of the Witwatersrand on May 26.

According to the A-G, the evidence of Beeld journalist Andries Cornelissen was crucial to the completion of police investi-

gations

Cornelissen received a 12-month jail sentence last month for refusing to testify about Mokaba's alleged utterances of the slogan in his speech on campus. The sentence was suspended, pending an appeal.

In his statement the A-G claimed that the SAP could not identify any of the people who had attended the university meeting.

"The only lead at their disposal to start their investigation was the report of Mr Cornelissen in Beeld."

The journalist was ap-

proached by police to sign an affidavit about Mokaba's alleged statements but he refused, said the A-G

He claimed: "The refusal by Mr Cornelissen to make his personal observations — as opposed to source information — available to the community through the investigation officer, is at present the only and exclusive reason why no progress is being made in the investigation pertaining to the substance of Mr Mokaba's utterances, if any . . . and whether the utterances, if any, constituted a crime or not. — Sapa.

news in t

Sowetan 3/9/93

Independent media

JOURNALISTS throughout Southern Africa will discuss the future of the region's independent media at a Media Institute of Southern Africa general council meeting in Gaborone, Botswana, next Friday

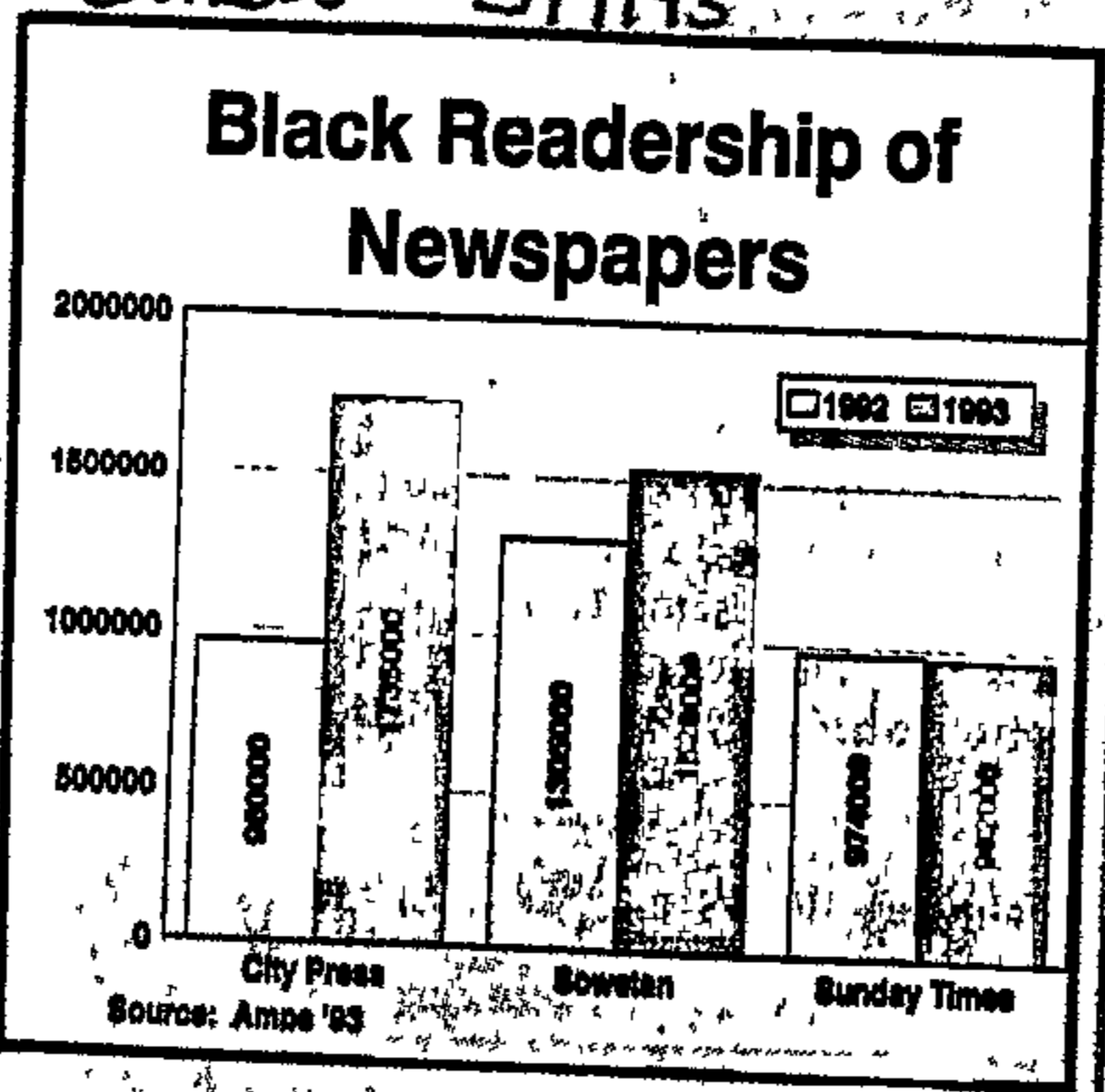
A highlight of the gathering will be the presentation of the first Misa Press Freedom Award by Namibian Chief Justice Mr Justice Ismail Mahomed, the institute said in Windhoek yesterday. More than 30 delegates are expected to attend the meeting which will discuss the financial viability of the region's independent media, restrictions and how to address them. (243)

City Press is Number One!

Class 5/9/93

THE readership of City Press has exploded by a massive 81 percent to rocket this popular Sunday newspaper into top position in the black newspaper readership stakes with a total of 1 735 000 black readers.

The 1993 All Media and Products Survey shows that the black readership of City Press has grown from 960 000 in last year's AMPS survey to a record 1 735 000 black readers. This makes City Press the fastest growing newspaper among black readers and puts us 207 000 readers (13,5 percent) ahead of our closest rival, *The Sowetan*, and a huge 773 000 (80,4 percent) ahead of *The Sunday Times*, which



comes in third with a black readership of 962 000, slightly down on its 1992 readership figure of 974 000 last year.

Even when it comes to total all-race newspaper readership City Press shows a pec-

ticular performance with an all-race readership of 1 753 000. This is second only to *The Sunday Times* with its 2 700 000 total. City Press has 39 000 more all-race readers than *Report*, which fills third place.

CLASSIC AMERICAN TASTE



Journalists condemn A-G's probe of Mokaba

Star 6/9/93 (243)

Witwatersrand Attorney-General Klaus von Lieres and Wilkau should resign as he displayed gross incompetence in his handling of the probe into alleged incitement by Peter Mokaba, the SA Union of Journalists (SAUJ) demanded yesterday.

The union also criticised Von Lieres's claim that no progress could be made in the police investigation of the ANC Youth League leader's utterance of the slogan "Kill the Boer, kill the farmer" at Wits University earlier this year unless Beeld journalist Andries Cornelissen testified.

Von Lieres said Cornelissen's refusal to testify was the sole and exclusive reason why the investigation could not be completed.

SAUJ general secretary Karen Stander said in a statement the union



Klaus von Lieres ... under fire.

had adopted a resolution calling for the resignation of Von Lieres and the police officer investigating the case against Mokaba.

The resolution noted:

■ That Mokaba was apparently being subjected to selective prosecution.

■ That in any event, about 1 000 people were reportedly present at the meeting.

■ Mokaba had allegedly made similar statements on various public platforms and been filmed on these occasions.

"This national executive council believes this is an admission of gross incompetence on the part of the law enforcement authorities and calls for the immediate resignations of Von Lieres and the police officer investigating these charges."

The resolution condemned "the continued persecution of Cornelissen by the A-G and calls on Von Lieres to acknowledge the right of the public to information and for journalists engaged in information-gathering to be unhindered in this task". — Sapa.

BIDay 7/9/93

New daily newspaper planned

JOHN DLUDLU

THE already overtraded daily newspaper market might get a new independent title before the end of the year, sources said at the weekend. The paper would support the "democratic movement".

The sources said fundraising for the newspaper had been completed, but ANC information chief Pallo Jordan commented yesterday "No funds have yet been received from the people we have approached".

The whole project was expected to cost about R80m, said Jordan.

The planned newspaper has been linked to the ANC and its alliance partners, but ANC officials deny any connection.

ANC spokesman Carl Niehaus recently said "We just want more voices to be heard. To that effect, we're involved in programmes that will result in the democratisation of the media. These might even include supporting the formation of another newspaper, but not an ANC daily."

Initially about four publications were to be set up — a daily, a weekly news magazine, an upmarket women's magazine targeted at the black community and a magazine aimed at the coloured community.

Regarding the other publications, Jordan said "We have decided to take these things step by step. We now have a monthly magazine, Mayibuye, and regional newsletters."



● JORDAAN

Mayibuye editor Joe Netshitenze said there was no intention to shelve the monthly. "We'll continue as long as it's necessary. Although we are editorially independent from the ANC, we work within the organisation's policy framework."

He denied claims that the merger of Mayibuye and Sechaba, an ANC newspaper during its years in exile, was a preparatory step to

launching an ANC daily.

The race against time for the launch adds credence to claims that it is wanted for political purposes — and especially in the run-up to the elections scheduled for April 27.

"Ideally, we'd have liked to launch the daily in November," said Jordan.

Jordan said if attempts to launch the paper this year failed, the project might be shelved until after April 27, "because people involved in the project will be very busy in the first four months of 1994".

According to people close to the plan, the paper would "represent the views of the democratic movement, and not the ANC".

A new company will be formed to manage the publication. A board of trustees will be set up comprising staff and investors' representatives.

The ANC will be one of the investors, to the extent of about R20m. "I know they will invest, but I don't know how much they will put in," Jordan said.

Other possible backers who have been linked to the project include former Lonhro CE Tiny Rowland, Nigerian newspaper owner Chief Abiola, Time-Warner and US News and World Report.

A number of SA companies, including Sanlam, have been approached for possible investment.

Sweden and several other countries are said to have promised financial and training assistance.

Europe to have SA weekly paper

BIDA 7/19/93

MARCIA KLEIN

A WEEKLY SA Times will be launched in London tomorrow.

Barry Tannenbaum, SA agent for the newspaper, said the new tabloid would be launched by four South Africans living in London — Adam Teeger, Roy and Sara Ettlinger and Michael Rapp. (243)

The newspaper aimed to keep people informed of events in SA and would be directed largely at South Africans living in the UK, SA companies operating there and SA visitors. It would be issued free, and a subscription service would also be offered. With an initial print run of about 20 000 copies, the paper would be distributed in the UK, Germany, Israel and the Benelux countries.

The directors had agreements with SA and international Press associations and journalists round the world to provide editorial copy.

The SA Times would include news, business news, sport and regular supplements on industries.

Star 7/19/93

Review of Act may protect reporters

PRETORIA CORRESPONDENT

Section 205 of the Criminal Procedure Act, which allows the court to subpoena witnesses to testify in a court of law may be reviewed to offer more protection for journalists.

Kobie Coetsee, Minister of Justice, opened the door to a possible revision of the controversial section of the Act at a

meeting with representatives from the Press Council, the Newspaper Press Union and the Conference of Editors yesterday.

The meeting took place following an earlier request by the three representative bodies to

Coetsee to discuss greater recognition for the professional privilege of journalists.

The State's concession to look at Section 205 follows the one-year sentence passed on Beeld journalist Andries Cornelissen

who refused to testify about the ANC Youth League president Peter Mokaba's "Kill the Boer, Kill the Farmer" chant after being subpoenaed by Witwatersrand Attorney-General Klaus von Lieres und Wilkau.

(248)

Sadtu slams strike coverage

THE South African Democratic Teachers' Union (Sadtu) believes that its recent strike has been unfairly linked in newspaper reports to outbreaks of violence and, worse, to the repulsive murder of exchange student Ms Amy Biehl last month.

"We want to state categorically that the strike action and the demonstration that took place were well-disciplined and singularly free of intimidation. We consider that the Cape Times has been guilty of selective and sensational journalism by focusing on one specific slogan among dozens displayed at a demonstration and by a specific slogan of 'One judge one bullet' chanted at a court hearing. These slogans do not represent general Sadtu policy, though they do articulate crudely, but sharply, the causes at the root of the teachers' anger.

"Sadtu also questions the ambiguity of headlines like 'Pupils urged to join strike' which could imply that Sadtu had done the urging. Linked to this is the statement in an editorial on August 20, that Sadtu did not seem 'very concerned about the children'. If the Cape Times had been remotely interested in balanced coverage of the strike, it would have discovered on inquiry that Sadtu had committed itself to intensive post-strike catch-up programmes.

"Most seriously, Sadtu takes the strongest exception to the way in which the Cape Times appeared to link Sadtu to the violence in some townships and the murder of Ms Amy Biehl. Headlines like 'Cars burnt in support of Sadtu' and statements implying that Ms Biehl was murdered by students, supporting striking teachers, implicated, and in some quarters incriminated, Sadtu by

(243) association
"Subsequent developments brought a totally new perspective on the reprehensible deed which was not emphasised by the Cape Times. This damned the newspaper in the minds of Sadtu members for bias and irresponsibility.

"Sadtu believes the Cape Times has given a radically distorted picture of the union and the nature of its strike and this has done Sadtu and the truth a major disservice."

Editor's note. The Cape Times accepts that Sadtu strike actions were well disciplined and that the union was not linked with any violent incidents. It welcomes the assurance that the inflammatory slogans referred to were isolated and unrepresentative actions, though it is regrettable that the union did not see fit to distance itself from them.

The post-strike catch-up programme is also acknowledged and welcome — in fact, the Cape Times carried several reports stating that the teachers had committed themselves to catching up on lost work after the strike.

Much of the violence in some townships during the strike took place under the auspices of Operation Barcelona, organised by students in support of the strike. There was no suggestion that Sadtu itself was involved in any of it.

Initial reports of the Ms Amy Biehl murder, in the Cape Times and other major newspapers, linked it tentatively to the Operation Barcelona campaign. That was the overwhelming intelligence from the township. The subsequent arrest of two alleged members of Paso, which as Sadtu states were totally opposed to the strike, changed the picture. The Cape Times did report that the arrested youths were Paso members but did not comment further, as the matter had become sub judice.

CT 8/9/93

Section 205 'for review' — Coetzee

Sowetan 8/9/93

SECTION 205 of the Criminal Procedure Act which allows the court to subpoena witnesses to testify in a court of law may be reviewed to offer more protection for journalists

Mr Kobie Coetsee, Minister of Justice, opened the door to a possible revision of the controversial section of the Act at a meeting with representatives from the Press Council, the Newspaper Press Union and the Conference of Editors on Monday.

Coetsee indicated that "urgent consideration" would be given to various facets and proposals raised by the media representatives (243)

The State's concession to look into the application of Section 205 follows close on the heels of the one-year sen-

tence passed on *Beeld* journalist Andries Cornelissen when he refused to testify in court about the ANC Youth League president Mr Peter Mokaba's "Kill the Boer, Kill the farmer" chant after being subpoenaed by Witwatersrand Attorney-General Mr Klaus von Lieres und Wilkau

Professor Kobus van Róoyen of the Press Council and Commission for Broadcast Complaints said journalists were dependent on their news sources and being forced to expose them contradicted journalistic ethics:

In the short statement issued by the Department of Justice, Coetsee reiterated the Government's point of view that the unhindered flow of information was of paramount importance in creating a just and democratic society. - *Own Correspondent*

No dilly-dallying over dailies in SA

VANCOUVER — The daily newspaper is nowhere near the top of the average South African's shopping priorities, according to world statistics on newspaper sales, conducted by Presstime Magazine

The statistics show fewer than five percent of South Africans buy newspapers, ranking the

country tenth on a list of 11 — but trailing ninth-place Italy by a considerable margin

According to the survey, daily newspapers sold per 1 000 people in the following countries include. Norway 619, Japan 584, UK 362, Germany 335, USA 244, Russia 222, Canada 214, Australia 199, Italy 115, South Africa 44,

Brazil 15.

(243) CT 14/9/93

The figures, which are based purely on sales, do not reflect actual newspaper readership

But perhaps you shouldn't believe a word of this. According to a new survey, most reporters would slant the truth to keep a story the way they want it.

PAC blamed for death threats to journalists

Patrick Goodenough

THREE *Daily Dispatch* journalists based at the newspaper's Umtata bureau have sought protection after receiving death threats — allegedly from Pan Africanist Congress supporters unhappy with news coverage of an Azanian People's Liberation Army (Apla) rally.

Luzuko Jacobs and George Galanakis, who live in accommodation attached to the office in central Umtata, slept elsewhere this week. A private security guard has been installed at the home of their colleague, Heather Kopp.

The PAC has taken exception to reports in the *Daily Dispatch* on the weekend Apla rally — particularly estimates of the crowd attending, and reference to apparently contradictory statements by PAC leaders regarding participation in elections.

Jacobs was pointed out and threatened in the street. Telephonic death threats have also been received.

PAC publicity secretary Waters Toboti, who telephoned the *Daily Dispatch* to complain about the rally coverage, later denied knowledge of the threats.

He said there was no evidence of PAC involvement, but those who were responsible "had justification to do that." Toboti confirmed the organisation's unhappiness with the reports.

"When we talk of freedom of reporting we are not giving the press a blank cheque to lie. If the *Daily Dispatch* continues to provoke the PAC and the African people, they will have a conflict. This is not a joke. We won't tolerate being insulted. But we are trying to avoid conflict," Toboti said.

Daily Dispatch management was unavailable for comment.

Relations between the *Daily Dispatch* and the PAC in Transkei have been tense for some time.

In January, the Umtata office was overrun and occupied by some 15 PAC members. Simultaneously a newspaper delivery vehicle was turned back near Transkei's border at Queenstown.

The PAC has also had disputes with Radio Transkei, and earlier this year threatened to disrupt distribution of the *Sunday Times*. —

Ecn

243

WM 17-23/9/93



Land of contradictions ... A scene from a Welkom household, captured by Ad van Denderen and published in his book, Welkom in Suid-Afrika

Sharp words after Mail exposé

WM 24-30/9/93

By Chris Louw

THE Democratic Party caucus meeting on Tuesday degenerated into a "bruising showdown" following a *Mail & Guardian* report last week revealing an aborted challenge to Zach de Beer's leadership.

According to sources, sharp words were exchanged, with Lester Fuchs and Tony Leon in the firing line.

Fuchs recently took the lead in a bid to oust De Beer (64) in favour of Leon, the party's newly elected southern Transvaal leader. A group of junior MPs supported the attempt to install Leon as party leader.

The disclosure of the attempt to get rid of De Beer was described as "highly damaging" to the party in the run-up to the country's first democratic elections.

Fuchs, a backbencher who was only elected to parliament in 1989, earlier went to see De Beer and told him that he should stand down. The DP leader's "lacklustre" performance — due to medication for high blood pressure — was given as a reason.

Leon has since announced that he would not make himself available for the leadership position. In an obvious attempt to contain the damage, he announced in a speech in parliament on Monday that he would personally propose De Beer for another term as leader at the party's national congress next week.

However, the delegates will reportedly be asked to amend the party's constitution to allow for a deputy leader. This follows reports that some DP MPs, including Ken Andrew, Chris April and Errol Moorcroft, felt the DP leadership should be strengthened.

Serious doubts about De Beer's ability to provide strong direction were raised after the party leader fell asleep during a vital caucus meeting at the end of the last parliamentary session.

See page 17 for Tony Leon's response to last week's report

Skotaville not 'acquired'

(243) WM 24-30/9/93

Iden Wetherell

SKOTAVILLE Publishers has denied a report in the *Mail & Guardian* last week that Macmillan Boleswa and Thebe Investment Corporation are preparing to acquire the small Johannesburg publishing house. Managing director Mthobi Mutloatse described the report as "tendentious, misleading and blatantly false". But he did not deny that Skotaville is exploring a partnership deal with Macmillan and Thebe in the field of educational publishing.

Mutloatse said that as a Sec-

tion 21 company (not for gain), Skotaville did not have shareholders. It could not be taken over.

He would not deny, however, that a three-way partnership was under discussion. Publishing industry sources confirmed this week that talks had reached an advanced stage and Mutloatse promised "clarification would be forthcoming" soon.

Thebe has also denied a claim made in the same report that it has purchased Mathibe Printers. Thebe printing adviser Kwezi Kadalle refused to say what role, if any, Thebe would be playing in the printing field.



Sowetan
**Union plans
24/9/93
legal action**

THE Media Workers' Association of South Africa is planning legal action following an attack on its members in Port Elizabeth this week, Mwasa acting president Mr Mathatha Tsedu said yesterday

The attack on SABC journalists Khayaletu Mpunzima and colleague Mike Procter-Simms, allegedly by members of the AWB, took place while they were covering an African National Congress meeting on Tuesday (24/9)

"We are handing over a copy of the video tape to our lawyers for legal opinion," Tsedu said.



Continued

PRESS FREEDOM
Fm 24/9/93
A familiar ring

ANC-aligned MP Rob Haswell denies that his suggestion in parliament last week — that the media should start “putting their house in order” — is a threat to press freedom. But it has a depressingly familiar ring. In a debate on the Independent Media Commission Bill, Haswell criticised the media for indulging in “rumour and intrigue” instead of “telling it like it is.” (243)

Without the courage to identify which medium he was talking about, Haswell accused the media in general of protecting Inkatha leader Mangosuthu Buthelezi under the guise of trying to draw Inkatha back into the negotiating process.

“Why do the media try to keep the man

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Fm 24/9/93

rather than the party on board? Is he, not so subconsciously, white SA's black hope?”

Haswell told parliament it would be preferable if the media “started putting their house in order even now.”

His speech was compared to views expressed by former PM John Vorster in an interview with a Dutch newspaper 20 years ago, in which he warned SA newspapers to “put their house in order.” During the next 17 years government introduced increasingly draconian restrictions on press freedom, stopping just short of total statutory control of news. (243)

Haswell denies he is threatening censorship and is disappointed that his comments were interpreted this way. He says he opposes statutory control.

The ANC, though critical of corporate control of media groups, claims to be firmly committed to press freedom.

Haswell believes the print medium is divided into pro- and anti-Nationalist camps and that the “commercial press” publishes what is best for big business on the assumption that it is also best for “ordinary people” even though, in his view, history suggests otherwise.

He argues that newspapers “blatantly” Nationalist or DP supporters need to reassess their positions and serve the wider community. Haswell adds that the press is not immune to the effects of the political transformation under way and believes it is capable of making the necessary adjustments on its own. ■

State spent millions on five newspapers

SOUTH 2419-2819/93

By Christelle Terreblanche

FIVE ethnic newspapers published monthly by the South African Communication Service (SACS), will be among the first publications to be scrutinised by the Independent Media Commission (IMC). The publications, including Caret, targeted at rural coloured people in the Cape, have cost the taxpayer around R1,5 million per year during the last decade.

The newspapers were started in the early eighties to disseminate the government viewpoint in areas and in languages in which it was not readily accessible.

Most of the stories cover public events where government ministers speak, while others inform the public about government decisions. SACS functions as a government department and is state funded.

"These newspapers will be among the first victims of the IMC," Mr Dave Dalling, independent MP for Sandton and ANC member told SOUTH. "They are partisan and should be closed down."

Dalling's remarks followed a weekend function bringing the SACS and ANC into closer contact.

His opinion was echoed by Mr Peter Soal, DP spokesperson on the media: "These publications are clearly all foul of the IMC legislation

and will be regarded a contravention by the commission."

The IMC bill was passed by parliament this week and is expected to be instituted by the end of next month. (248)

One of its functions will be to ensure that "state-financed publications and state information services are not, directly or indirectly, used to advance the interests of any political party".

Despite the outcry this week, Mr Gert Coetsee of the SACS head office in Pretoria confirmed that an expensive public opinion poll was under way to upgrade the newspapers.

"We have not decided to change

Housing gets R328m boost



it," he says. "At the moment we will be maintaining the status quo."

The five publications — Caret in the Cape, Metropolitan Digest in Johannesburg, Izindaba in Bloemfontein, Vision in Durban and Light/ Buisano in Port-Elizabeth — have a joint circulation of 650 000 per month. It is distributed on a knock-and-drop basis.

Coetsee said that if needed the newspapers would become "grey",

reflecting the views of all people. "We will be monitored like all other newspapers and can become open to other viewpoints"

The legislation stipulates that the publisher of any state-financed publication must give information about it within 14 days of the institution of the IMC.

TML group to buy Dispatch

MARCIA KLEIN

SHAREHOLDERS of East London newspaper company Dispatch Media have approved its sale for R22m to a consortium which includes Times Media Limited, Standard Merchant Bank (SMB) and Dispatch executives, finance director Alan Beaumont and MD Terry Briceland. 11/10/93

Dispatch will change its name to Beabrit, delist from the JSE at the close of business today, and be wound up. (243)

The sale excludes Dispatch's share in M-Net.

Minorities will receive a liquidation dividend of 310c a share, the ruling price at yeaterday's close. (195)

SMB said this was a 63% premium on the market price before the May cautionary that Dispatch was involved in negotiations.

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ARG 2/10/93
'Radically different' people's paper

DURBAN — Natalians will wake up to a new Saturday newspaper in two weeks when Natal on Saturday replaces the province's two Saturday papers — Weekend Mercury and Saturday News — on October 16

paper in South Africa. With a different design and typeface, the paper's main thrusts would be leisure, entertainment and sport, but news would still be important

Editor George Parker said it "would be radically different to any other people-oriented and the focus on people in the news" — Sapa

Press Council with

teeth now in place

Star 2/10/93

THE Press Council of South Africa has recently been constituted to replace the South African Media Council. It is a voluntary self-regulatory body founded jointly by the proprietors and the editors of the printed media. Membership is divided equally between press and public representatives (243).

The Press Council's task is to uphold the freedom of the media, encourage the highest professional standards by adherence to its code of conduct, and to receive and resolve complaints.

Hearings are more in the nature of round-table discussions. The parties to a dispute must speak for themselves, although they may be accompanied by advisers. Nevertheless, the council has teeth and can impose penalties ranging from a reprimand to a R10 000 fine. It has enforcement powers too.

Anyone wishing to learn more about the council or lay a complaint should get in touch by telephone, fax or letter with The Conciliator, Box 47221, Parklands 2121, or telephone (011) 788-4829/37 or fax (011) 788-4990.

(243)
APR 2/10/92

Nasionale Pers hopes to Drum up support for black magazine

MANDY-JEAN WOODS

NASIONALE Pers is hoping to cash in on its position as publisher of magazines with the highest circulation by turning the ailing Drum magazine into a success.

According to You managing editor Neil Hamman the new-look Drum will follow the successful You/Huisgenoot formula.

"The concept is universal — it applies to all cultures and languages. People want to read about human interest stories which are entertaining and informative," he says.

It's just a "gut feeling" which is driving Hamman to relaunch Drum as a You/Huisgenoot for the black market. But the fact that You doubled its circulation in Soweto last year might also have something to do with it.

"There are no really good mass magazines for blacks on the market. Drum has an established name and we hope — with the new look — will achieve significantly higher circulation than it presently has," said Mr Hamman.

At its launch in 1951, Drum achieved a circulation of just more than 57 000 copies, peaking at 185 000 in the early 1980s before dropping back to its present circulation of around 85 000.

Distribution will play a key role in Drum's circulation growth.

"Township violence is a problem. We are looking into ways of solving our distribution problems," said Mr Hamman.

Former Bona editor Reg Vermeulen has been appointed editor of Drum, a post that has been vacant since the death of Sam Motjuwadi in 1989.

"Drum has been losing circulation lately, but we intend to implement a strategy to reverse the trend," said Mr Vermeulen.

Code of conduct for publishers

Own Correspondent

JOHANNESBURG. — Educational publishers are devising a code of conduct to discourage government favouritism in the educational book publishing industry.

The code is based in part on guidelines drawn up at a conference earlier this year hosted by the SA Council for Higher Education (Sached) and the National Education Co-ordinating Committee.

Industry sources said one of the provisions of the guidelines, that "no relation-

ship of privilege should exist between the state's education ministry, nor any one of the political parties which make up the government of that state, and any publisher", was included after news broke of the deal between ANC-aligned Thebe Investment Corporation and international publisher Macmillan

The sources said the Thebe deal had brought unease to the industry.

"There is an unease with party political involvement because certain textbooks

could have an undue advantage because of political contacts and not merit," Sached books co-ordinator Ms Orenna Krut said.

She said the Independent Publishers' Association of SA, which represents smaller publishers, was drawing up the code of conduct with the Publishers' Association of SA (Pasa) CT 6/10/93

However, ANC education desk head Dr John Samuel had told Pasa that the ANC would not favour Thebe, which it viewed as an independent company. (243)

Tyson says time ripe for new media

ARC 9/10/93
243

Weekend Argus Correspondent

JOHANNESBURG. — The white-controlled mainstream Press, has just emerged from decades of oppression and battling to find itself in a revolution, Harvey Tyson, former editor-in-chief of The Star said this week.

He was speaking here at the start of a two-day Konrad Adenauer Foundation seminar on developing community newspapers

The seminar aimed to promote democracy and development, and to examine the role of community newspapers as an additional training forum for journalists, particularly those from less-privileged backgrounds

Mr Tyson said there had never been a better time for establishing a newspaper or a radio station in South Africa.

"The mainstream Press, which was produced by whites for white readers for nearly 50 years, has just emerged from decades of oppression and battling to find itself in the midst of a social, political and economic revolution.

"One reality is that the mainstream Press is itself under considerable economic threat.

"Even, although it is in the self-interest of the established mainstream Press to encourage new publications, there must be a limit to its willingness to set up its own competition," said Mr Tyson.

The Star's general manager Graham King said the newspaper industry globally found itself in the midst of change and unprecedented competition in the media marketplace.

Mr King said newspaper readers and advertisers were being courted by television, cable television, overseas newspapers, personal-computer information services, specialist publications and telephone information services.

Mr King said "We are facing worldwide structural changes of media proliferation, changing profiles of our readers, the non-reading habit, and new technologies of production and distribution.

"Added to these are the political changes in South Africa and our economic situation," said Mr King.

Sowetan 11/10/93

HAVE you ever thought what a soccer fan would do without his newspaper?

He couldn't possibly watch every match himself, but even if he could

watch every match himself he would still be without the discussion, debate, analysis and inside information which the newspapers provide

The simple fact is that none of us could survive without the information which the media provide

Another simple fact is that none of the media could survive without advertising

The advertising that you read in *Sowetan* helps to pay for the massive costs of printing and distributing up to 300 000 copies of the newspaper every day

Advertisers use *Sowetan* because it is a key to their success. It brings customers into the stores and it encourages people to buy what they are selling. Without these customers, they would not be able to do business

Thrive and grow

In summary, *Sowetan* needs advertising in order to thrive and to grow and businesses need to advertise in *Sowetan* in order to thrive and grow. The media and business are therefore important to each other. Each needs the other to succeed.

The job of our editorial staff is to provide you, the reader, with factual and correct information about what is happening in the world around you: the good news, the bad news, facts and opinions.

Now let us take the imaginary case of a person who spends a lot of money advertising in a newspaper, say R1 million in a year. And let us imagine that this same person has done something bad and the newspaper publishes a report about this person's behaviour. What do you think that this person will think when he sees a bad report about himself in a newspaper in which he has spent R1 million?

More than likely this person will phone the editor of the newspaper and threaten to stop spending money with the newspaper if the report on his behaviour is published. Now what would you, the reader, think if you knew that newspapers allowed important people, like business leaders, politicians and others with influence, to escape criticism from your newspaper? Quite rightly, you would be angry and you would probably stop reading the newspaper.

I am happy to tell you that at *Sowetan* this is not possible. As the general manager of *Sowetan* it is my responsibility, with my staff, to ensure that no advertiser is allowed to threaten or influence the editor and his staff. I do this by ensuring that the editor is completely free to report on any matter at any time.

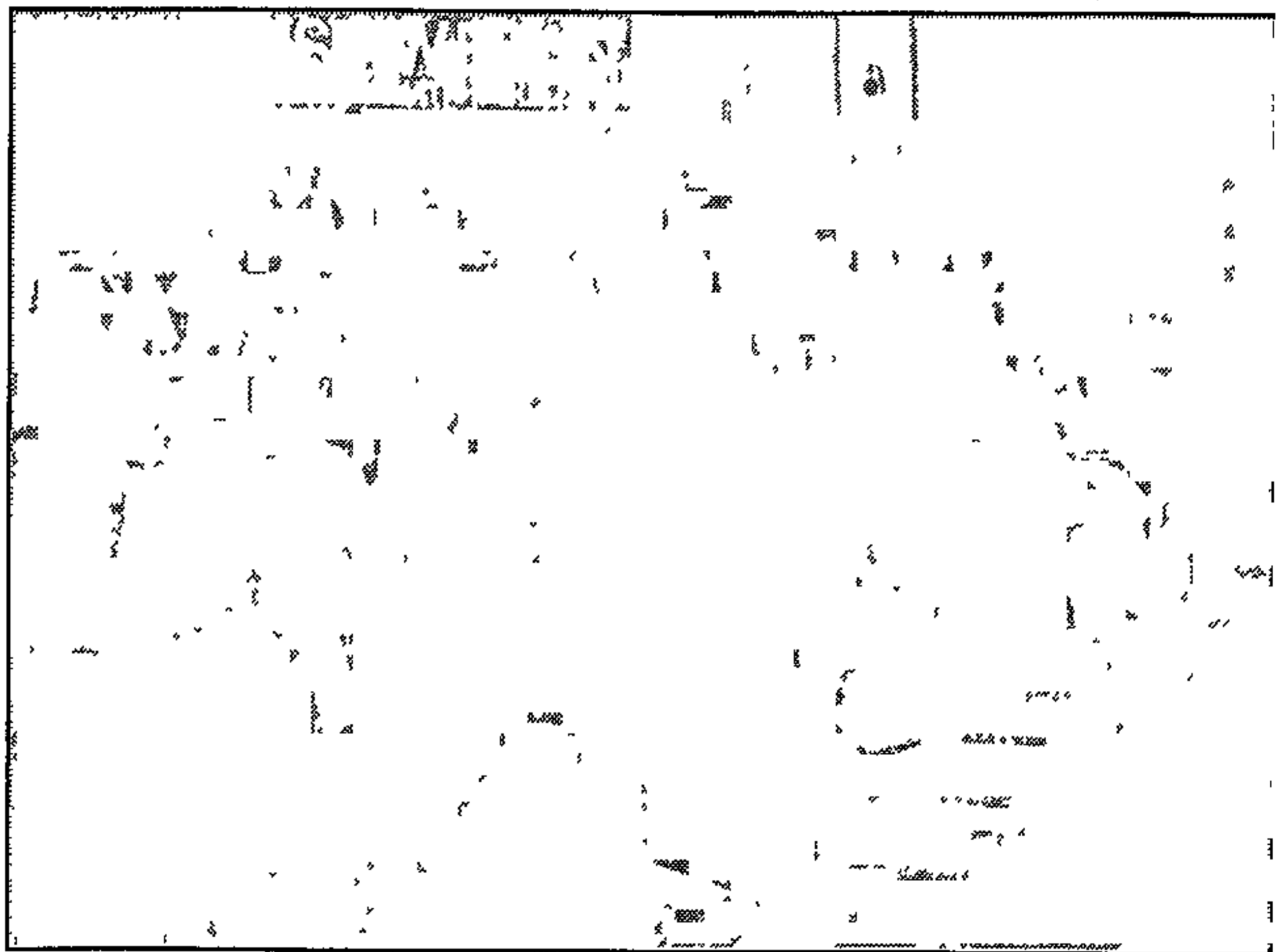
In fact, *Sowetan* is two completely different

THIS is the first in a series on Press freedom, freedom of expression and the importance of an independent Press.

Sowetan is publishing this series in preparation for its Press Freedom seminar at Vista University on October

19, the anniversary of the banning of the *World*, *Week-end World*, *Pro Veritate* and 18 black consciousness organisations. Rory Wilson, General Manager of *Sowetan*, reports:

(243)



Part of the audience at the *Sowetan* Press Seminar at Vista University in Soweto last October 19.

business units in one: the editor is responsible for the content of the newspaper, and the general manager is responsible for all the other functions such as printing, distribution, administration and the selling of advertising. Neither of us interferes in the responsibilities of the other, we are each free to make our own decisions in the best interests of the newspaper.

All of this is done to ensure that the editor and his staff have the freedom to produce the best possible newspaper, delivering to you, the reader, the soul truth daily.

● *Sowetan* will again be hosting a Press Seminar on October 19 at the Vista University in Soweto. This is part of the newspaper's Nation Building campaign and the topic for the day is The Role of the Press in the transition to democracy.

Leading media lawyers, politicians and top newspaper editors will be on the panel and all those interested in attending the Press Seminar should phone Gerald Bhembe on (011) 880-9358.

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UN man in Angola slams Unita for holding up aid

LUANDA — The UN mediator in Angola criticised the rebel movement Unita for holding up aid flights to war victims and said it should withdraw immediately from land it has seized since losing last year's general election.

"Unita must rapidly accept the legal framework in Angola and immediately withdraw its forces from the zones they occupy," Alioune Blondin Beye said yesterday.

The UN special representative said he had not yet achieved a settlement to end 18 years of civil war in the former Portuguese colony

He expressed irritation at Unita's failure to accept Ango-

la's 1991 peace agreement and subsequent UN resolutions. Last week Unita said it would accept an updated agreement.

President Jose Eduardo dos Santos said yesterday his government would only agree to resume peace negotiations with Unita if the rebels clearly accepted the accords.

● A bomb was discovered and defused yesterday in the headquarters of Angola's national radio station, informed sources said.

It was the fourth bomb incident in Luanda in the past six months. In September a blast in the central Prenda market killed two women and a child — Sapa-Reuter-AFP.

'Free society needs a free media'

Argus Africa News Service

MAPUTO. — Countries emerging from totalitarian rule are discovering that a free society cannot exist without freedom of the news media, said an African newspaper editor here.

He was speaking at the opening yesterday of a Southern African journalism centre in Maputo to be run jointly by the 10 member states of the Southern African Development Co-ordination Community (SADC) and the four Nordic countries.

In the keynote address, editor Al Osman of the Financial Weekly of Malawi said there had often been greater freedom of expression under colonial rule.

"Around the world, countries like Malawi that have recently emerged from totalitarian rule are discovering that a free political society cannot exist without free news media," he said.

Obstacles to press freedom included state monopolies over printing presses and the imposition of high newsprint tariffs, Mr Osman said.

"We all know that the real editors of some of the public newspapers in our region are the ministers of information"

OUT OF AFRICA

AFRICA: Luc Montagnier, who discovered the Aids virus, appealed in Paris for financial aid to help stop the epidemic in Africa "We can't just abandon Africa," the French scientist told a news conference. "We must stop the world from being divided into two zones — one where people are treated the other where things are allowed to degenerate into a catastrophe"

ZIMBABWE: The leader of the opposition Democratic Party, Dr Davison Domo, has called for the immediate disbanding of the country's intelligence service, which he described as the political arm of the ruling Zanu Party

SWAZILAND: The final round of the first free parliamentary elections in 20 years ended peacefully. Results are due today.

● A strike that closed all four Sun hotels in Swaziland has been ended with a wage agreement.

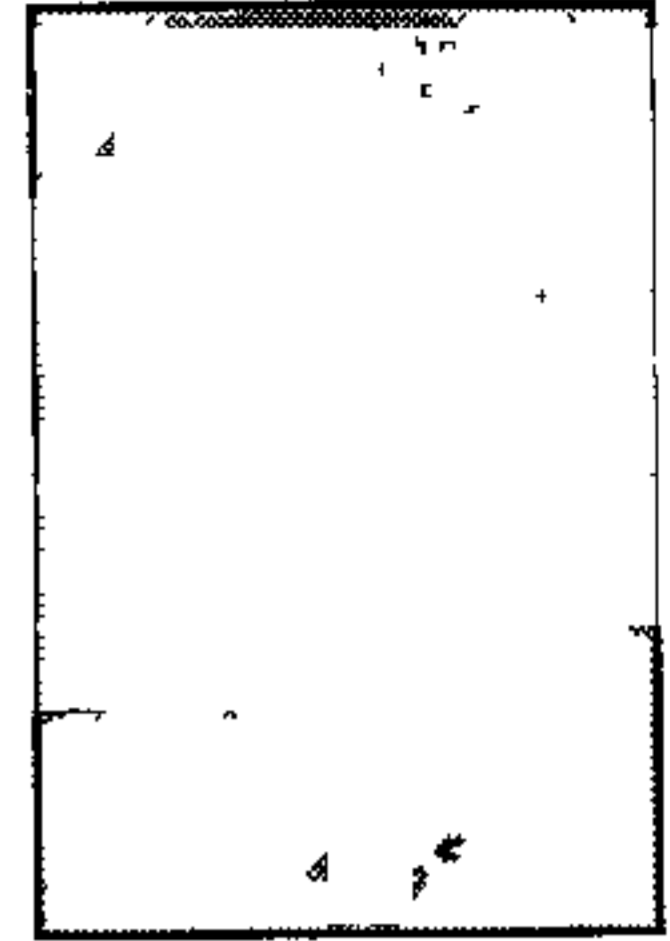
MALAWI: President Kamuzu Banda is being treated for depression after an operation in Johannesburg to drain excess fluid from his brain.

TANZANIA: President Ali Hassan Mwinyi opened a private bank, ending nearly three decades of state banking monopoly.

Sowetan 12/10/93

Managing Editor **JOE THOLOE**

reminds us how fragile democracy is, the role Press freedom plays in implementing it and how easy it is for megalomaniacs to rob us of the right to know: (243)



FOR JOURNALISTS at *Sowetan* October 19 is particularly significant. It is the anniversary of the banning of *Sowetan's* predecessor, *The World, The Weekend World* and an ecumenical publication called *Pro Veritate* 16 years ago.

In addition to banning the publications, the Government also muzzled 18 black organisations like the Black People's Convention, the South African Students Organisation and the Union of Black Journalists.

On this day, we at *Sowetan* pause to remind ourselves how fragile democracy is, how easy it is for people wearing uniforms and guns to shut newspapers down and rob the public of their right to know.

We also remind ourselves, as *Sowetan* General Manager Rory Wilson wrote yesterday, that it is not only governments that close newspapers down, but also lack of money to publish.

We have also seen increasingly in recent years another form of censorship, that by intolerant people who will not allow others to hold different opinions and beliefs from their own.

Journalists harassed

We have seen journalists harassed, refused access to information, assaulted, or even killed because some people did not want them to write what they saw and believed.

On October 19 we pause to remind ourselves that there can be no democracy without a free and independent Press.

We remind ourselves that on our own we cannot defend press freedom. It will be safe only if the ordinary man, woman and child defends his right to freedom of opinion and expression and his right to seek, receive and impart information.

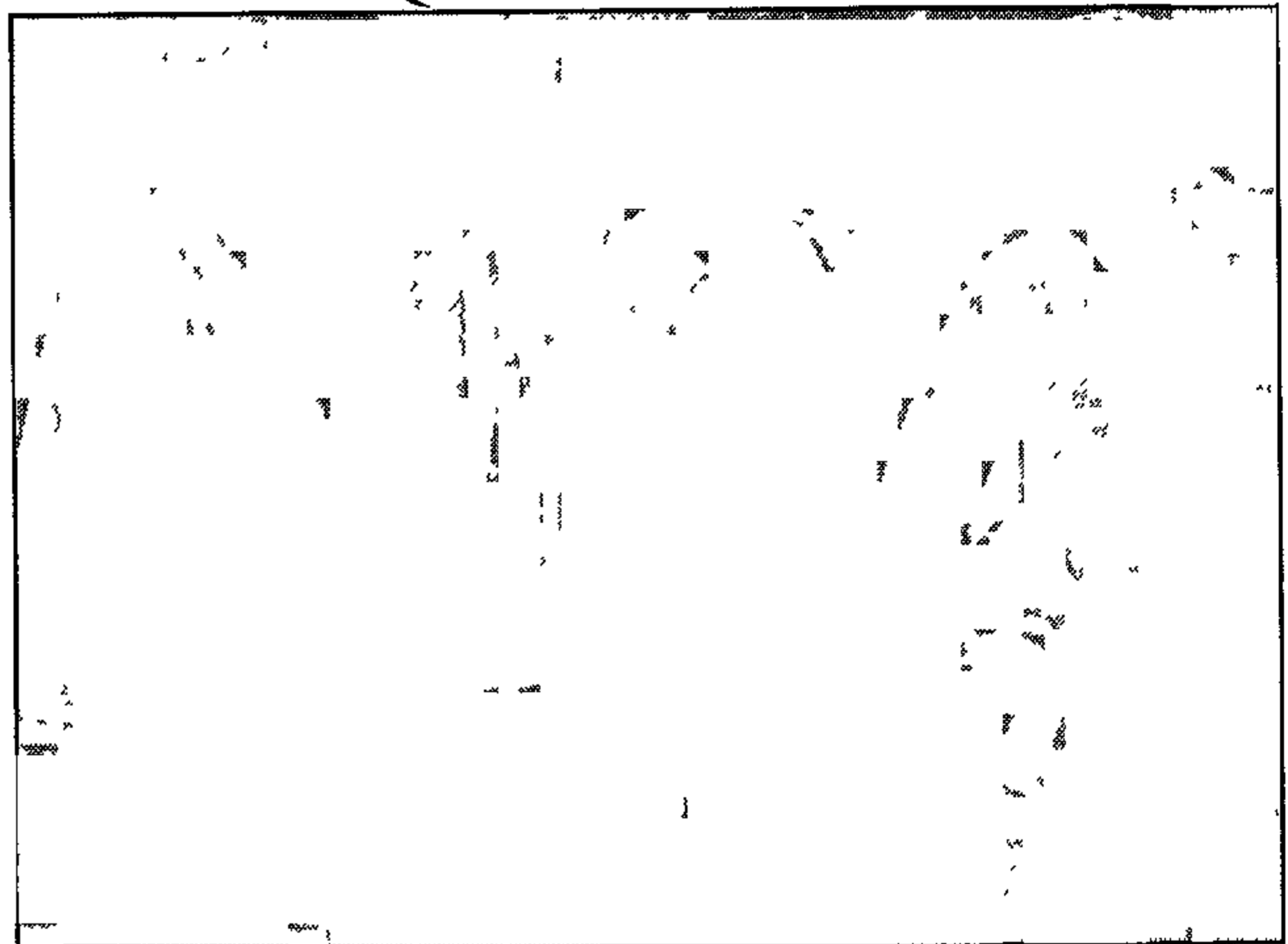
Sowetan staff members pause to remind themselves of their credo.

"Our purpose as journalists is to inform, not to indoctrinate. We hold sacred our people's democratic right to know the truth. Therefore we must always be objective and unbiased. Our own opinions, beliefs and emotions must not influence how we report news. When we express opinions we must clearly identify them as such. We must expose injustice, corruption and wrong-doing whenever we find them, no matter where we find them. The welfare of all our people, whether or not their beliefs are the same as ours, is our deepest concern. We must be compassionate. Above all, we must be fair."

This credo hangs in every one of our offices so it is not easy to forget in the mad rush of daily news gathering.

Once a year we invite other journalists and the general public to come and join us in reminding ourselves and them of the highest ideals of journalism.

We invite you to join us this year at the Vista



FLASHBACK... The editor of *The WORLD*, Mr Percy Qoboza, is escorted by security police. He was held for five months under Section 10 of the Internal Security Act at Modder B Prison, Springs.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

— Article 19 of the Universal Declaration of Human Rights.

The advent of a world in which human beings shall enjoy freedom of speech and belief, and freedom from fear and want has been proclaimed as the highest aspiration of the common people...

— Preamble to the Universal Declaration of Human Rights.

campus in Soweto on October 19 when we examine the role of the media in the transition to democracy.

If you join us you will get a chance to talk about press freedom and about the role of the Press in the transition to democracy with prac-

tising journalists, leaders of various political parties and the people who are negotiating a new constitution at the World Trade Centre in Kempton Park. For tickets — admission will be strictly by invitation only — please phone Gerald Bhembe at (011) 880-9358.

focus on the Press

Sowetan 13/10/93

THE ISSUE of Press freedom raises a lot of questions but the answers are as diverse as there are people on this planet. These questions are: What is the Press free to do? From whom and what?

In this country, because of division that so much characterises our society, these differences and divisions are more pronounced and confused.

Those schooled in journalism during the turbulent years of the mid-'80s have a different interpretation of what Press freedom should be — it was different then.

For young recruits it was a matter of being either on the right or the wrong side. We did not believe in grey but only in black and white.

We thought the Press was free to report what was happening — but with the main emphasis on sympathy with the oppressed masses. This at times meant not exposing the bad and sometimes disgusting behaviour of people we thought were sacrosanct in the struggle. (Remember the Mandela Football Club saga?)

This was partial freedom — to report harshly on the enemy, as it were, and be sympathetic to the struggling masses.

Viewed as traitors

Those who ventured to point out the mistakes on the part of our political leaders were viewed as traitors. This was the unhealthy notion of what the Press was free to do.

This freedom also entailed that the Press should be free from the shackles of capital. At the time independent (alternative) newspapers were politically correct (PC) as opposed to mainstream newspapers which are owned by big conglomerates.

It was PC to work for a small newspaper to take up issues that newspapers owned by big capital could not — at least this was the idea at the time.

I remember having a conversation with a student at a Johannesburg pub. She was complaining that a particular "alternative" newspaper was taking advertising from the same big capital. I tried explaining to her that newspapers cannot survive without advertising and she could not understand (unless there is some benefactor willing to bankroll the whole operation from start to finish).

From talking to that lady I discovered that here lie the biggest problems and misconceptions of what the function of the Press is.

Armchair critics are quick to point out what is wrong or right with newspapers and they hardly understand the intricacies of how it functions.

Unless the Press itself educates the public about what the whole operation entails, we are bound to have people drawing wrong conclusions.

What is or isn't Press freedom?

Diversity in our nation has caused confusion. **Musa Zondi** takes you behind the scenes and explains how editorial staff should work to ensure unbiased reporting: (243)



Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

-- Article 19 of the Universal Declaration of Human Rights.

The advent of a world in which human beings shall enjoy freedom of speech and belief, and freedom from fear and want has been proclaimed as the highest aspiration of the common people...

-- Preamble to the Universal Declaration of Human rights

So what is the freedom of the Press? Five years down the line, this notion has come to mean a totally different thing. As human beings we have hangovers about different issues — ranging from homophobia to nuclear weapons.

Newspapers have a duty to report fairly on differing opinions, giving equal treatment to differing opinions. Whether the newspaper editor agrees with that particular viewpoint or not is immaterial. If newspapers only printed what editors wanted, then we might as well close shop and let them have their own forum to exchange archaic ideas.

The freedom of the Press has come to mean that while advertising is an important part of running a newspaper, it should not have policies detrimental to editorial.

The newspapers should be free to explore all stories, without fear or favour. We should be able to criticise the leaders if we feel they are being irresponsible and do not have the good of all the people at heart.

Those who are scared of the truth will burn newspapers — which happened last year when *Sowetan* was burned by angry Sadtu teachers. Those who are afraid of the truth — which hurts — will think there is a witchhunt against them.

Those to whom a dissenting view amounts to treason will continue to harass and intimidate journalists — however thinly veiled their threats are. Certain politicians won't see the speck in their eyes but cry foul when we report on their bungling. But to attain that freedom, we must not be cowed into silence by dictators in the making.

The Press should be able to tell the president of the ANC that he is bungling if we think he is. (I believe though he has the guts to laugh at himself at times). We are the eyes of the nation.

As we move to elections, this freedom should be jealously guarded. We cannot afford to have politicians cower us into silence. We cannot afford to take sides with anyone.

We therefore invite you to join us at Vista University campus in Soweto on October 19 when we examine the role of the media in the transition to democracy.

If you join us you will have a chance to talk about Press freedom with practising journalists, leaders of various political parties and people who are negotiating a new constitution at the World Trade Centre in Kempton Park.

For tickets — admission will be strictly by invitation only — phone Gerald Bhembe at (011) 880-9358.

NEWS FEATURE *Journalists play crucial part in informing the public of the ills of society*

Media play a vital role

Sowetan 14/10/93

243

■ PRESS GAGS *News gatherers have been harassed by the state and public:*

By Bongani Mavuso

WITHOUT newspapers, the electronic media and journalists, society would find it difficult to know about events taking place in its immediate surroundings and the world at large

During the most repressive years in the history of South Africa, the Government introduced strict regulations which were meant to control the flow of information.

Newspapers were forced, by law, to publish information and report on events that the government found "suitable" for public consumption. Journalists were detained for long spells in prison and some newspapers were banned. In the recent past in South Africa, journalists have been at the receiving end of the violence that is engulfing the country.

Reporters have been killed in the line of duty and some have been accused of being "state agents" and other names

I had my first taste of being "silenced" while covering a news story for the Lenasia-based *The Indicator* newspaper in August 1991. A group of residents from the Lenasia Ext 9 and 10 homeless camp had marched on the local police station to demand protection from the police

The residents, including children, staged a "sit-in" outside the police station.

I was taking pictures of the peaceful protest. The group of residents carried placards demanding protection. I thought that the event was of interest to the public. The public had to be informed.

While taking pictures and conducting

interviews with the group, I was confronted by a policeman who told me I was "inciting the crowd"

Asked to elaborate, the cop told me "he was on duty and I was hindering him in performing his duties"

"What about my duties?" I asked. The next moment, the policeman manhandled me and dragged me into the charge office. My crime, I guessed, was to carry out my duty of informing the public

My case is not too serious compared to fellow journalists in South Africa and elsewhere in the world who lost life and limb while doing their job

Newspapers and the electronic media are not only about informing. They are also educational. Newspaper bannings, gags and the harassment of journalists while on duty are an injustice to human nature.

Without the Press, we would have a nation which would not know whether it is coming or going. It would be like being in a dark room without windows.

Press freedom entails free flow of information. Newspapers, as the *Sowetan* puts it aptly, "should answer to no party". As our country is on a brink of democracy, the press has a critical role to play in the transitional period.

The Press should take no sides. It should equally serve every party contesting next year's elections which are scheduled for April 27. With this in mind, the *Sowetan* will observe Press Day at the Vista University in Soweto on October 19. This day marks the 16th anniversary of the banning of *Sowetan's* predecessor, *The World, The Weekend World* and a publication called *Pro Veritate*. Admission will be strictly by invitation. For tickets, please phone Gerald Bhembe at (011) 880-9358.



FLASHBACK ... Participants at last year's Press seminar pay rapt attention.

Editor dismisses unbundling of Press

BIDSON

MARCIA KLEIN

THE argument for fracturing the ownership of the English-language newspapers was dubious, Financial Mail editor Nigel Bruce said yesterday

Bruce, speaking at the 1993 SA Publishing Conference, said the argument to consolidate these interests further, to promote efficiencies and reduce costs, was probably more compelling

The main competition facing SA's newspapers was the international electronic media

If Anglo American wanted to remain invested profitably in newspapers, the savings in merging Times Media Limited (TML), the Argus Group and Caxton into one commercial unit would be enormous. It would enable "greater clout and economies of scale in the acquisition of technology", enable editorial staff to be streamlined and reduced in number, reduce administration duplication and focus management on the real competition, which

was from the international electronic media 19/10/93

Bruce said the unbundling of Anglo's newspaper interests was "a fiction".

Anglo would simply sell TML in full or part to someone else, and "it is doubtful if the shareholders in the Argus Group were given a direct stake in its constituent newspapers that the value of their assets would be enhanced", he said (243)

However, there might be a commercial advantage for hiving off, and separately listing, the financial publications as they had little synergy with the other products (145)

Bruce believed that notions of unbundling Anglo's newspaper interests were entirely political and rooted in the ANC's desire "to cover its own communications shortcomings by acquiring, either compulsorily or at a

knockdown price, a viable newspaper group of its own".

Ownership of a mass circulation newspaper was not important in an election, or at any other time. What was important was how it conducted itself "in the light of its readership profile", he said (242)

Most, if not all, of the large English newspapers had more black readers than white, and if their interests were ignored, readership would decline

English newspapers predominated in SA not because they were a monopoly, but because they were a valuable heritage brought to SA, and the home of freedom of speech. Anglo had provided a blocking mechanism against government's attempts to gain control

Bruce said Anglo should not disinvest, but prepare its newspaper interests to meet international competition emerging through technological advances

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NEWS Press responsibility also needed

Sowetan 20/10/93 Workers at Coca-Cola on strike

By Ike Motsapi

MORE than 4 000 employees at Coca-Cola plants throughout the country went on strike yesterday over wages.

The workers, members of the Food and Allied Workers' Union, are demanding monthly across-the-board salary increases of 25 percent. Management is offering seven percent.

Chairman of Fawu's national shop stewards council Mr George Nene said yesterday the union and the management of Amalgamated Beverages Industries — owners of Coca-Cola — had been negotiating for wages since September 28 without reaching a settlement.

Management has raised its initial offer of five percent by two percent since negotiations started.

News

Sowetan 20/10/93 No censorship to silence the Press (243)

By Glenn McKenzie

A NEW government will not use censorship to silence the Press, an African National Congress negotiator said at the Sowetan Nation Building Press Seminar at Vista University in Soweto yesterday.

The ANC's Mr Joel Netshitenzhe said his party did not favour specific legislation limiting freedoms of the Press. Rather, the Press would have to abide by a new charter that protected individual freedoms.

"There will be no censorship in the new dispensation. We don't believe there should be a group of wise men and women who decide what we should or should not read," said Netshitenzhe.

Media lawyer Mr Paul Jenkins said there should be a balance between the freedom given to the Press and the freedom protecting individuals.

There should be restrictions built into a Press code to prevent harming individual reputations. "We can't have the media intruding into people's private lives if it is not wanted. The extra-marital affairs of Mr and Mrs X are not the business of the Press."

Netshitenzhe agreed that media freedoms should not be limitless. He said voluntary journalistic bodies and the courts should play a role in and share Press responsibility.

Broadcast licences could possibly be taken away if a television or radio stations infringe individual freedoms.

Netshitenzhe said the Press should be allowed to freely comment on all actions of the new government, including a state of emergency. He said the ANC could not rule out a state of emergency but there must be very compelling reasons to declare one.

Star 20/10/93

'Don't kill the messenger'

(243)

■ BY IVAN FYNN

Journalists need to be protected and allowed to do their jobs, particularly in the volatile period leading up to South Africa's first nonracial elections next year

This emerged at a seminar on "the role of the press in the transition to democracy" at Vista University, Soweto, yesterday

The seminar was organised by The Star's sister newspaper, Sowetan, and the British consulate-general to commemorate the 1977 State clampdown on The World newspaper and 19 organisations

Representatives of organisations including the ANC, SACP, Azanian People's Organisation and Inkatha Freedom Party agreed that journalists should be helped to operate freely in reporting events

SACP general secretary Charles Nqakula said no one had the right to "kill the messenger" and that more space should be created for an alternative press to fulfil its role of social critic.

ANC information and publicity department head Dr Pallo Jordan said his organisation had already taken measures to protect journalists by assigning media marshals to look after them at events.

Media lawyer Paul Jenkins said the State must "not be allowed to govern behind closed doors under the guise of looking after the interests of the State"

In a speech read on behalf of KwaZulu Chief Minister Mangosuthu Buthelezi by KwaZulu Education Minister L P Mtshali, Buthelezi complained of bias against the IFP in favour of the

ANC and Government

Buthelezi said "Unless society is exposed to all the information it requires, that society will never be in a position to identify, and positively and constructively respond to, the issues facing it."

Azapo publicity secretary Golemolemo Mokae blamed prejudice and concentration of the ownership of the media in white hands for his organisation's lack of publicity.

Joel Netshitenze of the ANC said ownership of the media needed to be diversified although the organisation had not yet worked out details on unbundling to achieve a variety of ownership

He said South Africa did not need specific legislation to regulate the media, which should be governed by laws affecting ordinary citizens

ANC 'will defend press safety, right to publish'

ET 20/10/93
(243)
JOHANNESBURG. — The ANC would advocate and defend journalists' unambiguous right to publish their opinions without being threatened, ANC information chief Dr Pallo Jordan said yesterday.

Addressing a seminar on the press, hosted by the Sowetan newspaper and the British consulate here, Dr Jordan said journalists' physical safety was a matter of major concern in South Africa — a view endorsed by the South African Communist Party.

But the Azanian People's Organisation and IFP criticised the press for biased reporting — Sapa

Safety of media staff

By Glenn McKenzie

WHERE once black journalists felt safe in the townships, they are increasingly becoming targets of intimidation and violence, the acting president of the Media Workers' Association of South Africa, Mr Mathatha Tsedu, said yesterday. *Sowetan*

The growing problem of aggression towards media workers will be debated at a media safety seminar at the Johannesburg Hotel from 9am on Friday, Tsedu said. According to the organisation, over one hundred media workers have been harassed this year. *21/10/93*

"We have to look at why these attacks are taking place. We want to hear from organisations to find out what sort of complaints they have about journalists," said Tsedu.

The seminar may involve discussions with organisations that feel marginalised by the media. Education and training programmes for groups that feel marginalised by the media may result from the seminar, Tsedu said.

Representatives from black political parties, trade unions, and student organisations have been invited to the seminar. Editors and management from all publications and broadcasting stations based in Johannesburg have also invited. *(243)*

Guest speakers include Zimbabwean-born journalist Mr Tendai Dumbutshena, who will speak about the experiences of media workers in other African nations.

focus on

Sowetan 22/10/93

UNION SETBACK

JOURNALISTS DO NOT want to use bullet-proof vests, they want a safe environment in which to practice their craft. That is the message the Media Workers Association of South Africa will drive home when it holds a one-day seminar on the safety of media workers at the Johannesburg Hotel today.

Just to make sure that everybody gets the message, Mwasa has invited political organisations, trade unions and a soccer body. Organisations, including media workers, will together attempt to seek solutions to the unsafe conditions journalists and other media workers face in the execution of their tasks.

The organisations that have been invited are the ANC, ANC Youth League, Azapo, the PAC, Inkatha, the Azanian Youth Organisation, Azanian Student Movement, Azanian Students' Convention, Pan Africanist Students' Organisation, South African Democratic Teachers' Union, Azanian National Youth Unity, the Congress of South African Students, Congress of South African Trade Unions, National Council of Trade Unions, South African National Civics Organisations and the National Soccer League.

Acting president of Mwasa Mr Mathatha Tsedu this week said he was hoping the interaction between the media and the organisations would minimise real and imaginary tensions that have led to the killing and assaulting of members of the media.

Mwasa, the largest media union in the country, has a history of being on the side of the struggle. Indeed, its formation in Cape Town 13 years ago was meant to serve as a repository into which the aspirations of the black media workers would be channelled.

The aspirations of black workers do not only revolve around wages and working conditions. They extend beyond that, even to the desire to participate in politics.

Free political activity

Therefore unions, in the absence of free political activity in the country, were not excluded from engaging in the political struggle.

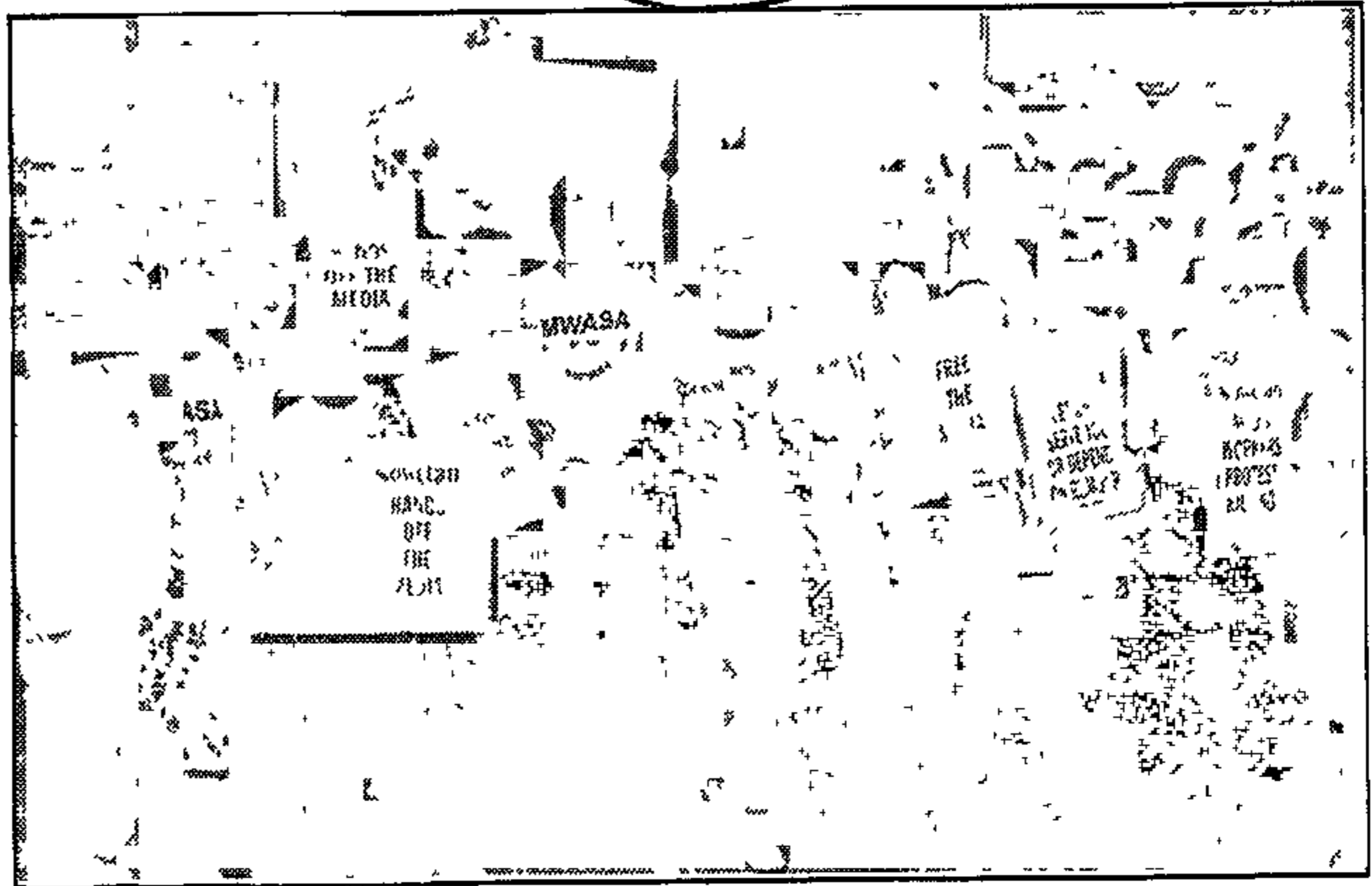
The politics of the day fed on its momentum, and soon the country faced the 1976 Soweto uprisings which changed the country's political landscape.

Soon after the 1976 upheavals, newspapers, especially *The World* and the *Weekend World*, aligned themselves with the struggle. With much gusto, and led by its editor, Mr Percy Qoboza, the newspapers launched virulent attacks on John Vorster's Government.

To this day the modern world cannot forget the late Qoboza and his newspapers for the contribution they made to the struggle for a just society.

Even when Mwasa was formed in 1980, the struggle for a just society continued. The entire

Historically the media had one serious enemy — the Government. Today society appears to have declared open season on them. **Joe Mdhlela** explains what the Media Workers Association hopes to achieve at its one-day seminar today: **243**



Journalists took to the streets of Sharpeville early this year to protest against the brutal slaying of SABC journalist Calvin Thusago.

union leadership — including its present acting president, Tsedu — Mr Phil Mthumkhulu, Mr Joe Thloloe, now managing editor of *Sowetan*, Mr Zwelakhe Sisulu, and Mr Mono Badele, was banned.

Mwasa, which became more inclusive, replaced the Writers Association of South Africa, which excluded workers who were not journalists.

It continued to keep the home fires burning in the absence of free political activity in the country.

The attacks on media workers therefore ignore the role the media are playing in the struggle for a just society.

That is the price the union paid for being vocal, not only on labour issues, but on political matters as well.

This is true of all trade unions, because there is a fine dividing line between politics and union issues, especially in the South African context.

Even now the struggle is not over, even if one accepts that unions enjoy some relief following the unbanning of political organisations in 1990.

But the question is: Do media workers de-

serve the harassment to which they have been subjected for the past two years?

In the past, the only serious form of attack on media workers was from the state security. Things have changed, the attacks on journalists are often instigated by the so-called "comrades" who are presumably affiliated to the liberation movements.

Despite condemnations, journalists continue to be attacked.

The list of journalists attacked on duty is long, and includes the murder in April of Mr Calvin Thusago, the CCV news reporter.

He was stabbed to death while carrying out an assignment in Sharpeville.

Rightwing whites attacked journalists during the ANC rally in Port Elizabeth.

Azapo's publicity secretary, Dr Gomolemo Mokae, said his organisation was "pained" by the increasing attacks on journalists.

Mokae said in order to curb this trend Azapo had instructed regions and branches to work in conjunction with community-based organisations to educate members about the role the media plays in safeguarding democracy.

Star 25/10/93
(243)

Education seen as key to journalists' safety

■ BY MOKONE MOLETE

Educating communities about the role of the media in society would go a long way towards ensuring the safety of journalists and other media workers.

This was one of the resolutions passed at a weekend seminar in Johannesburg on the safety of journalists and other media workers organised by the Media Workers' Association of SA.

After hearing that five journalists had been killed and more than 60 media workers attacked since the beginning of the year in South Africa, delegates also resolved that:

■ An ombudsman be appointed to deal with "biased and distorted" reporting in newspapers

■ Media owners should make resources available for training workers on safety awareness.

■ Right-wing elements should be "engaged" to ensure free access by all media workers to their political gatherings

Ameen Akhalwaya, head of TV1's *Agenda*, said current threats to media workers were different to those in the 1970s and '80s.

The seminar was also told that thugs were robbing newspaper sellers as well as delivery vans.

focus on the media

WHAT IS media freedom? The importance of a free Press in society has been recognised since the late 18th century when a Londoner using the pen name *Junius* in a series of letters attacking King George III wrote "The liberty of the Press is the palladium of all civil, political and religious right"

The Commonwealth Press Union defines freedom of the Press as "not a special privilege of newspapers, but derives from the fundamental right of every person to have full and free access to the facts in all matters that directly or indirectly concern him, and from his equal right to express and publish his opinion thereon and to hear and read the opinions of others"

The role of the media (encompassing both the Press and the broadcast media) in society is four-fold

- 1 It is a medium for the communication of information,
- 2 It is a medium of education and entertainment,
- 3 It is a medium for reflecting views, attitudes and opinions of the public,
- 4 It has a duty to the public to investigate and expose official corruption and mismanagement

In order to fulfil these functions the media must be free to represent all sectors of society regardless of religion, creed, colour or political affiliation.

Each sector of society must have the right to comment freely on matters of importance to its members, and the media must be free to publish or broadcast such comments

The existence of a free media presupposes that the interests of the individual outweigh those of the state

The State must be responsible and accountable to the people. The role of the government must be simply to create an environment enabling citizens to interact with a minimum of government intervention. Government should be the shield of the people

It exists to establish a framework of laws within which citizens are protected in realising and developing their potential, but without violating the rights of others

Bill of Rights

Government must also protect the people against any potential government excesses, and it is to this end that a Bill of Rights is required to protect not only the citizens, but freedom of speech

It is such a society towards which South Africa should be striving

However, freedom of the Press does not mean, and should not mean, that the media are allowed to report on anything they like and however they like

There are four exceptions to the fundamental principle that freedom of speech is inviolate

Sowetan 25/10/93
Since time immemorial wise sages have counselled for free expression. Media lawyer and radio personality **David O'Sullivan** urges the media to continue with this tradition, albeit with more responsibility for the rights of others:

243



MEDIA FOCUS ... Delegates at the Sowetan seminar on Press freedom.

- 1 Restrictions designed to enable an individual to enjoy a right to privacy,
- 2 Restrictions designed to protect individual honour and reputation,
- 3 Restrictions designed to protect children,
- 4 Restrictions on contempt of court

In each case, the limitation on freedom of speech should be the minimum necessary. The restrictions should be for the benefit of society, and not for the benefit of the government of the day to stifle information and legitimate criticism of the government

Another acceptable constraint is a voluntary code of media standards, such as those laid down by the South African Union of Journalists. But media freedom demands that no one forfeits rights by refusing to belong to any regulatory body. There must be no law demanding compulsory adherence to such a code

This scenario is that of the ideal society. If South Africa is to be judged accordingly, it is clear that media freedom in its usual fullest sense does not exist. Laws currently on the statute books, such as the Protection of Information Act and the Internal Security and Intimidation Act, so effectively curb the media that they can be prevented from giving even the most justified and moderate criticism of state action

It is true that these laws have been dormant

since the start of the reform process in February 1990, but they can be dusted off at any time and be used to prevent the media from publishing anything but the "official" version of State action

Furthermore, the penalties that journalists face if they break the law are so harsh as to force them into the role of policing and censoring their own work to ensure they do not fall foul of the law

There must be an immediate review of all laws which unnecessarily curb the media, and those laws must be removed from the statute books to prevent an erosion of media freedom

A more immediate threat to media freedom is the safety of journalists. Political intolerance has resulted in no fewer than 80 journalists being attacked between January and July as they attempted to do their job. The lives of journalists are in danger and they are reluctant to pursue stories, fearing for their safety

Political organisations have the urgent task of teaching their supporters not to "kill the messenger" and to be tolerant of views they do not support

Only once a climate has been created in which journalists do not fear the law or for their personal safety can one say that media freedom is part of South African society

NEWS FEATURE *Guarantee of safety not possible* • Mzwasa symposium on media safety

Journalists under fire

Sowetan 25/10/93

By Joe Mdhlela

SAFETY UNSURE Newspapers and

reporters accused of political bias: (2/13)

THE PAN AFRICANIST Students Organisation says journalists' safety cannot be guaranteed because of their bias.

Speaking at a one-day seminar on media safety organised by the Media Workers Association of South Africa on Friday, Mr Eddie Bosman, representative for Paso, said newspapers, including *Sowetan* and *The Star*, were biased in favour of certain political organisations.

"*Sowetan* is not giving Paso coverage. We get better coverage from *The Citizen*," Bosman said.

National organiser of the Azanian Students Movement, Mr Theminkosi Zwane, said his organisation did not identify the media as the enemy, but was concerned about the bias of some reporters, especially at *Sowetan* and *The Star*.

Reporters from these newspapers ignored their Press conferences, but did not hesitate to attend meetings called by organisations they identified with he said.

The newspaper's labour section came under attack, and was described as "sectarian." Official of the SA Chemical Workers Union Mr Tsepang Mka said he was concerned that labour reporters

ignored unions affiliated to the National Council of Trade Unions and gave more publicity to the affiliates of the Congress of South African Trade Unions.

Assistant general secretary of the Metal and Electrical Workers Union of South Africa Mr Zithulele Cindi said reaction to unbalanced, selective reporting would express itself in violence against the media.

Cindi said it was important that media workshops and seminars be held regularly.

"We need these workshops so that the operations of the media and the nuances involved are fully explained to the community," he said.

Mr Phambili Ntloko of the National Union of Public Service Workers said: "Some journalists give the impression that they control the newspapers and have great influence in determining what should be printed." Ntloko said as long as blacks did not own newspapers, problems of sectarianism would remain unresolved.

"Every newspaper wants to sell. The temptation will be to want to report what sells."

Mr Andries Mapeta, representing Sanco, suggested that liaison committees be estab-

lished throughout the country "so that the role of the media could be explained"

Group human resources manager of Argus Newspapers Mr Roger Wellstead admitted his company had been negligent in not being aware of the impact of the threats on their employees and appropriate steps, including bullet-proof vests, were being investigated.

Wellstead said the company was engaged in trying to spread the ownership to the community.

"The process to unbundle *Sowetan* so that it is partly owned by the community and workers is under way," he said.

Day editor of *Sowetan* Mr Mqegisen Williams said the newspaper published a wide range of views, and that research had shown that they accommodated all viewpoints.

He said there was a perception among the people that journalists were not part of the community.

"We are aware of the importance of balanced reporting and urge aggrieved organisations to approach us," he said

Seminar 'a success'

By Joe Mdhlela

THE acting president of the Media Workers Association of South Africa, Mr Mathatha Tsedu, said the seminar on media safety at the weekend achieved its objectives of bringing together the community and media practitioners.

Tsedu said this after Mzwasa's one-day seminar at a Johannesburg hotel on Friday. The seminar was attended by Azapo, ANC, SANC, Paso, Azasim, Nactu and representatives of Argus and SABC management.

The seminar was meant to address the concerns of media workers who have been attacked, sometimes killed, during the execution of their work.

"I am satisfied the seminar has achieved its objectives of bringing together the community and media workers."

"The community, through the organisations, also listed their grievances against journalists. I am sure this has opened lines of communications, and that we will have more meetings of this nature," said Tsedu

Broadcasting changes create gap for print

B/DAY

IMMINENT deregulation of broadcasting will result in the fragmentation of the electronic media and an increase in opportunities for print media, says Newspaper Press Union (NPU) president Roy Paulson.

He felt this was likely to happen with the establishment of the Independent Broadcasting Authority. 26/10/93

Rates and the cost of production would make TV more expensive, particularly if an advertiser wanted to cover all regional stations which might be established.

In addition, electronic media was a significant user of print for the dissemination of information and details. (243)

An increase in the number of stations would benefit print media in terms of additional advertising revenue. (250)

Paulson said print had a more difficult task than electronic media in terms of marketing itself. But this did not mean it was not actively promoting itself.

The NPU had a small budget which could not be compared with what TV stations spent on themselves.

Nevertheless, the NPU's 30/30 media synergy campaign — a first in international media research — and the latest "Print Makes a Better Impression" campaign had been successful

Paulson said newspapers publicised themselves daily through posters and the presence of papers on street corners, so the effect of print advertising to a large extent was subliminal.

Newspapers marketed themselves in a different way, including special promotions like Weekend Winners in the Sunday Times. "Our general thrust is not state of mind awareness," he said.

Many publications, such as Business Day, were niche market publications which were well known to the larger agencies and to clients.

This meant that above the line advertising was not necessary.

The newspapers also had teams of advertising representatives who were constantly selling, so they were very proactive in that respect.

Paulson said TV stations knew their programme schedules well into the future, and therefore could market themselves on that basis. Newspapers were more restricted in terms of their marketing, but he believed print was doing what it could to improve its share of the market.

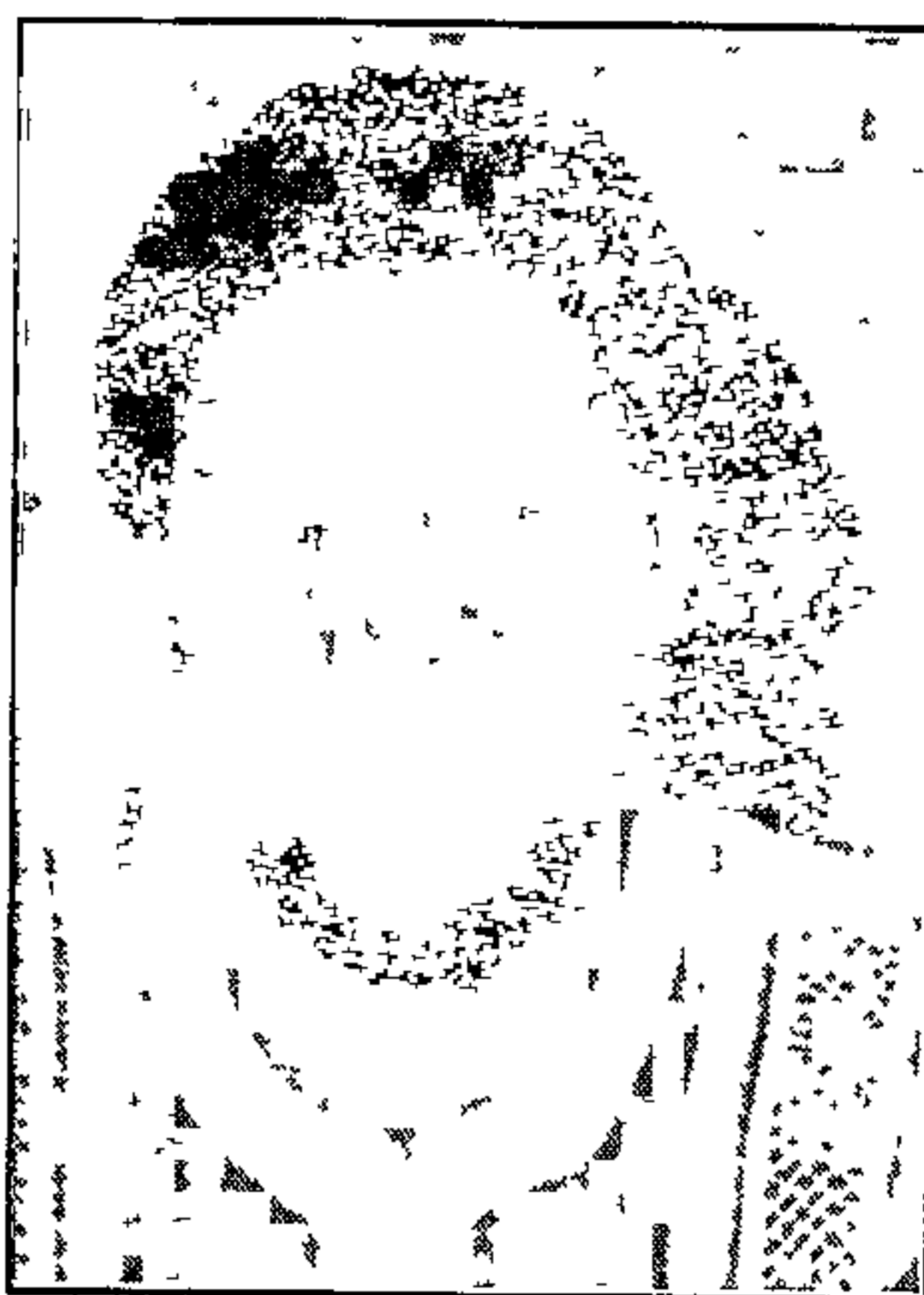
Generally, circulations were either static or growing despite pressure on advertising volumes.

focus on **Sowetan**

Sowetan 26/10/93

Dr Gomolemo Mokae, publicity secretary of the Azanian People's Organisation, has claimed that *Sowetan* muzzled his organisation at the recent seminar on Press freedom. We have given Mokae this opportunity to put his case:

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Dr Gomolemo Mokae

on October 21 "We are anxious that Azapo is not trying to make political hay out of some of the events taking place "

The editorial's objective was transparent if you don't read about Azapo in our paper, don't blame us, blame Azapo

But it was the very "objective" *Sowetan* which had chosen not to report on what we said at the seminar it had invited us to!

As we often say, even if Azapo could stop the world from rotating for a month, *Sowetan* and its co-conspirators would not see that so that they can come to claim that we don't make political hay.

Sowetan is clearly part of a media conspiracy to marginalise Azapo for not taking part in the sophisticated selling out of our people's aspirations at the World Traitors' Centre

Consider the following

● *Sowetan* seldom sends its reporters to Azapo Press conferences and rallies, let alone pays for its so-called political correspondents to go and interview leaders of our sister organisation, the Black Consciousness Movement of Azania or its military wing, the Azanian National Liberation Army in Harare

When its journalistic conscience does bother it, it relents, but sends reporters, and no photographers to the events

IN 1928 Hannen Swaffer submitted "Freedom of the Press in Britain is freedom to print such of the proprietor's prejudices as the advertisers don't object to"

As fate (or is it *Sowetan*) would have it, last week's seminar organised by this paper at Vista campus proved that Swaffer might easily have been referring to Press freedom in occupied Azania nowadays

Azapo — represented by this writer — was one of the organisations invited to the seminar

But evidently, what we had to say then was unpalatable to the powers-that-be at *Sowetan*. It was felt unnecessary to report on that, though much space was reserved for the views of spokespersons of other organisations at the seminar

Indeed, this article has been commissioned by the paper to placate irate readers who phoned to enquire why, its claims that "We stand for your right to know We must never take sides " notwithstanding the fact that Azapo was muzzled

In a nutshell, this is what Azapo said at the seminar

● Azapo is unwaveringly committed to a free Press, and deems it the bench mark of a free, democratic society

Our defence of *Sowetan* in the mid-'80s, when the United Democratic Front sought to "ban" it, speaks volumes about that commitment

So does the fact that the first organisation of black journalists, the Union of Black Journalists, was conceived in the womb of the Black Consciousness Movement

● Prejudice of the Press, however, threatens this very freedom

This prejudice can roughly be divided into two

Firstly, the fact that the board of the Argus is as white as snow attests to the monopoly of a white minority on ownership of the Press

Such monopoly does not only pertain to *Sowetan*

At the seminar, we observed that the *Sunday Times* is a co-sponsor of the Miss South Africa beauty pageant

Now that the pageant has shown that it is ready for a black Miss SA, we wondered aloud if the *Sunday Times* itself was ready for a black editor

Given that the paper's editor — Ken Owen — is surrounded by white lieutenants, and that blacks (the paper's majority readership) continue to be confined to an "Extra" edition of the paper specialising in soccer and witchcraft, we did not think it was ready

Nor did any of the many people at the seminar

The second prejudice is that of reportage

In a rather feeble attempt to rebut points made against it at the seminar, *Sowetan* editorialised

In the news room, there are ideological policemen to ensure that pictures of Azapo leaders are used as seldom as possible

But with other organisations, even a "no comment" merits the said spokesperson's picture in the paper

No wonder the paper's managing editor turned a blind eye to his favourite organisation's failure to live up to its promise to stage a "massive" rally at the World Trade Centre recently, yet went on to attempt to poke fun at Azapo's September 12 march in central Johannesburg in commemoration of comrade Steve Biko

We could go on and on

As we said at the seminar, hearing many of this country's journalists agitate for Press freedom is as jarring as listening to Hillbrow prostitutes advocate chastity

They deem themselves king-makers rather than bearers of news, prescribers of "correct" political action rather than reporters of political activity

Happily, not everyone at *Sowetan* is afflicted by this malady

On October 20, Sy Makaringe exposed the hypocrisy of *The Weekly Mail*

The over-rated paper's racist so-called "A-Z guide to SA's politicians" had made a point of including white derelicts and nonentities, yet there was "no room in the inn" for Azapo leaders

Talk about blood being thicker than water!

Azapo is being "marginalised" not only because of its absence at the circus but also, most importantly, because of its commitment to black self-determination Black Consciousness

This should explain the ubiquitous presence of white rightwingers who are not at Kempton Park in the same Press which will not touch Azapo with a barge-pole

But it is regrettable that beneficiaries of the proud legacy of newspapers which were banned with BC formations on October 19 1977 are now ganging up with the *makhulu base* against the BCM

Finally, we intimated that this article was commissioned to parry blows from readers irked by *Sowetan*'s bias against Azapo

We can only hope that this piece is not tampered with — or completely muzzled — for sounding "blasphemous"

As George Bernard Shaw hinted "Most great truths start as blasphemous"

Press has a ⁽²⁴³⁾ vital role in future teaching

ARC 27/10/93
TOS WENTZEL
Political Staff

NEWSPAPERS have an important role to play in education programmes in a new South Africa, says K Prescott Low, president of the International Federation of Newspaper Publishers.

Mr Low, the publisher of the Patriot Ledger in suburban Boston, was speaking at the annual conference of the Newspaper Press Union in Camps Bay.

He said that in the past few years the newspaper community in South Africa had become more unified and had achieved better recognition of the common problems it faced in the transition.

The roller-coaster ride towards a new South Africa would be a long and difficult one, he said.

As in other transitional situations there were likely to be many occasions in which the solidarity the newspaper community had achieved would be threatened by developments both inside and outside the professional area. It was important to maintain the consensus which had been achieved.

The opportunity lay ahead for more readership, more market penetration and more pluralism and diversity within the newspaper community, Mr Low said.

Education would be a priority of a new government.

Part of an effective solution could come from a strong NPU commitment to a newspaper-in-education programme.

That required convincing the education authorities that newspapers were part of the solution, not part of the problem.

"It means securing their formal recognition and approval that newspaper-in-education programmes are a useful, relevant and cost-effective tool in addressing literacy and educational challenges.

"It probably means working in tandem with radio and television literacy programmes to achieve the kinds of media synergies that produce the best results," Mr Low said.

Effective newspaper-in-education programmes were not short-term circulation gimmicks but long-term investments to boost readership.

A new South Africa would mean more diversity in the number of types of media outlets and more diversity in the workforce.

Many new publications would start up in the next decade, he predicted.

While the good news was that there would be more diversity in media ownership many of these publications would not survive. This was the experience on the road to a more diverse press in transition.

Mr Low said the international federation offered its support and assistance in the transition.

"We all have a lot to lose if things do not go well for the free press here."

Newspaper dismissal unfair — claim

ET 29/10/93

Staff Reporter
PROMINENT Catholic newspaper Southern Cross, allegedly unfairly dismissed an employee they suspected was a security police informer, the Cape Town Industrial Court heard yesterday.

Mr Anthony Leisegang, 46, testified that in November 1992 he was dismissed on false grounds and was denied the opportunity of a hearing. On November 23, after two months of employment, Mr Leisegang was called to a meeting with the editor, Fa-ther Bernard Connor, and managing editor Mr Noel Bruyns, and handed a letter stating he was suspended. Reasons given were a fail-

ure in performance, that he had "seriously misrepresented sources", "malicious disinformation", and that they suspected he was an informer. This followed an article on the death of Mr Reggie Ha-debe, a leading Natal Catho-lic and ANC official, in which Mr Leisegang quoted a source attributing the murder to the

ANC. The letter gave Mr Leise-gang the opportunity to re-quest a hearing. In dispute is the outcome of the meeting of November 23. Mr Leisegang claims he left the meeting under the im-pression that he had been im-mediately suspended and was expecting a hearing.

Mr Bruyns testified that he had had "no doubt" that Mr Leisegang said he would leave and had taken this as a formal resignation.

However, Mr Bruyns agreed that there had been no formal letter of resignation. The matter continues today. Mr P P de Klerk was the president. Mr J Blignaut was acting for Mr Leisegang and Ms Frances Anderson for Southern Cross.

NEWSPAPERS
FM 29/10/93
Deadline time again

Plans to start an ANC-supporting daily newspaper (which was expected to be on the streets at least a month ago) are still in hand. It will now be launched before the end of the year, says ANC information chief Pallo Jordan. This will give it about four months in which to have any impact on voters before the April 27 general election. (243)

The organisation has just completed its own feasibility study "and we believe it can fly," says Jordan. He stresses, however, that the ANC will not own the newspaper. Several potential investors have already indicated an interest in joining the venture; launching costs are projected at R60m. Jordan says that the ANC's main task is to see that the project gets off the ground. "We are

FM 29/10/93
 working on its finances with some urgency."

Lonrho's Tiny Rowland is said to be only one of 12 parties who have so far shown an interest in investing. The names of the other potential stakeholders have not been divulged. Former *Observer* editor Donald Trelford has also, in discussions with the ANC, expressed his willingness to assist with the project, says Jordan. (243)

Times Media Limited (TML — owner of the *FM*) has decided not to acquire a stake in the proposed newspaper after all. In conjunction with accountants Arthur Anderson, TML conducted a feasibility study of the project on behalf of the ANC some months ago. It seems its findings were not very optimistic. TML MD David Kovarsky says the company assisted Moeletsi Mbeki, who has been commissioned by the ANC as a consultant, to investigate the viability of the newspaper. "The feasibility study has now run its course," says Kovarsky.

Confirming that the proposed newspaper

is going ahead, Jordan also dispels rumours that the ANC has been negotiating with Perskor to buy its publishing arm and *The Citizen*. "There is no truth in that," he says. Perskor attorneys Couzyn Hertzog & Horak

also dismiss the rumours as "malicious."

Despite warnings by media professionals that the print media's advertising base is being eroded by the electronic media, and that advertising budgets are declining in the slump, movers behind the project have consistently dismissed arguments against the setting up of a new daily. But some media planners who believe the ANC is being over-optimistic about advertising agree the paper

could get a lot of initial "guilt advertising" (*Current Affairs* July 23).

An ANC spokesman says that if half the adult black population is illiterate that still means at least 7m can read, and if only 1,5m of them buy the paper, it will be in business. There is also a strong belief that many do not buy papers now because they perceive their editorial lines as anti-ANC. ■



ANC's Jordan all in hand

CIP:000 31/10/93
Zulu paper gets new boss

VETERAN Inkatha youth leader Musa Zondi has taken over as managing editor of *Ilanga*, the country's largest indigenous language newspaper

Fears are he will turn it into the party's mouth-piece Denying the charge, he said: "I must point out that my political activism will not interfere with my journalistic work" (248)

Journalist flees Inkatha attack

C/Press

31/10/93

243

By **THEMBA KHUMALO,**
ZANELE VUTELA and Sapa

JOURNALISTS were threatened by Inkatha marshals yesterday and a press photographer narrowly escaped death after he was chased by a group of the movement's supporters during their march to Johannesburg's John Vorster Square police HQ.

Before the march got underway from George Goch Hostel near Jeppe station, freelance photographer Clinton Asaray was singled out and chased.

"We don't want Indians here. Why don't you go and take pictures of your brother Jay Naidoo when he talks nonsense about us?" screamed the mob.

He was saved by the intervention of peace monitors, then Inkatha Transvaal leader Themba Khoza escorted him to his car.

Asaray and another journalist locked themselves inside the car while Inkatha supporters kicked at the vehicle, baying for his blood.

A uniformed Inkatha marshal also threatened journalists, warning them that if the march was not on the 7pm CCV TV news, journalists would not be welcome at the next Inkatha rally.

Another marshal said "Journalists are only capable of reporting shit about Inkatha. In fact, you should all leave now, it will be safer."

Generals subpoenaed in M&G case

WMI-7/10/93 (243)

Weekly Mail Reporter

THREE top South African Defence Force officers — including General Pierre Steyn — have been subpoenaed to give evidence in the defence of *Mail & Guardian* co-editor Anton Harber.

Harber, with private detective Jan Kleinhans, is charged with *crimen injuria* and malicious injury to property in connection with an investigation into the activities of former CCB operative Staal Burger. The case

re-opens in the Johannesburg Magistrate's court on Monday.

This week, Harber's defence team subpoenaed Vice-Admiral P Murray, chief of staff — finance, Lieutenant-General W Wolmarans, chief of staff — personnel, and Steyn, who headed the SADF inquiry into the activities of the Department of Military Intelligence, to give evidence about Burger's activities.

●Harber is represented by Eric Dane, instructed by Karien Norval and David Dison.

Officers challenge Mail subpoenas

Jacque Golding

THREE top South African Defence Force officers are going to the Rand Supreme Court to challenge subpoenas which force them to give evidence in the defence of *Mail & Guardian* co-editor Anton Harber

Harber's defence lawyers subpoenaed Vice-Admiral P Murray, chief of staff (finance), Lieutenant-General W Wolmarans, chief of staff (personnel), and General Pierre Steyn, who headed the SADF inquiry into the activities of the Department of Military Intelligence, to tes-

tify about the activities of former Civil Co-operation Bureau agent Staal Burger.

Harber and his co-accused, private detective Jan Kleinhans, have been charged with crimen injuria and malicious damage to property, arising out of an investigation into Burger's activities. Their trial was this week postponed to November 18, pending the outcome of the SADF officers' application.

WM 8-14 (10/93243)

South Africa 2/11/93

How to make a free Press come true

By a Johannesburg Journalist

SINCE the days of fire and brimstone in 1985 and before, which unleashed the dictatorship of uncontrolled youth militancy, black journalists have felt the menace to freedom of expression in the New South Africa — no, they have had the necklace placed around their necks as youngsters bayed for their blood. More and more black editors and journalists see the threat to Press freedom in the same way it is perceived by whites, the rise of a black-dominated government would extinguish freedom of speech and of the Press. Few people — including black politicians them-

selves who have given assurances to the contrary — can argue convincingly against this perception. But there is one important thing that most people overlook: there has been no serious and free black Press in this country for many decades if not a full century. What we have had are pockets of newsrooms filled by black men instead of a black Press rooted in the aspirations of the majority. The words of *The Star* political correspondent Kaizer Nyatumba, "I fear for the freedom of the Press. It seems that we are headed for a situation similar to that experienced in other African countries," should send a shiver down the spine of anyone who cherishes freedom of speech and Article 19 in the Declara-

2143 White domination is manifestly reflected in the black Press

tion of Human Rights document. But the issue of ownership and control of the media is the first challenge. Until it has been resolved, journalists of all colours will continue to face a serious menace in the black community. Added to this, the existing black Press is firmly in white hands and rooted in white values, just as the board of directors who control it do not have a single

African wielding any significant influence and power. The development and growth of a free Press culture in our society has to become an integral part of the liberation of the majority. Even in this new South Africa the so-called black Press is wholly in the hands of whites, with the exception of one magazine and two newspapers in which blacks have some shares. White domination is manifestly reflected in the black Press. As long as this prevails, militant comrades will continue not only to hijack cars and cameras from journalists but to express strong hostility toward them. In other words, it is only when black editors and journalists are seen to exer-

cise political control of their publications, and to use their institutions to serve the interests of the majority, that they will be pardoned and left alone to pursue their vocation. The major influence shaping the black Press today seems to be a desire to keep the uninformed white board of directors happy with high circulation figures while the burning issues of the day play a peripheral role. When black journalists begin to address the issue of ownership and control of the Press and champion the cause of the underdog, who now only matters as a statistic in the headline, perhaps comrades will begin to regard them as guardians of democracy and seekers of the truth.

Star 6/11/93

Focus on united body for lensmen

PRESS photographers are to be represented by a body specially constituted to take care of the profession's needs, following the recent launch of the Press Photographers' Group (PPG).

Chairman and freelance photographer Kevin Carter says the group's purpose is to stand for the rights of press photographers in all ways. "This is particularly with regard to issues of copyright, freelance terms of commission and image reproduction." (243)

Poorly paid

These issues, he explains, are the key to the group's agenda, as press photographers are sometimes poorly paid and often have no "ownership" rights.

Progress has been made in this direction, with Times Media Limited management having already made a start on modifications to photographers' employment contracts. "This is a really positive sign," says Carter.

The PPG is affiliated to the Professional Photographers' Association of South Africa and, by extension, to the photographers' world body.

The treasurer is Saturday Star photographer Mykel Nicolaou and the vice-chairman is The Star's chief photographer Ken Oosterbroek. Branches are to be established in other provinces. — Own Correspondent.

End to journalists' nightmare in sight

By CHARMAIN NAIDOO

CONTROVERSIAL section 205 of the Criminal Procedure Act — which has in the past seen journalists threatened with jail for failing to disclose their sources or testify — is to be amended, Justice Minister Kobie Coetsee has announced. *SITING*

Mr Coetsee said yesterday the most important change was the removal of decision making — whether or not to subpoena journalists — from the hands of public prosecutors into those of an attorney-general. *7/11/93*

In the past, any magistrate on the request of a public prosecutor could issue a subpoena calling on a journalist who was likely to give information on an alleged offence to testify. Media lawyer David

Hoffe called the old Section 205 "a journalist's nightmare". *(243)*

Press Council chairman Professor Kobus van Rooyen said: "Although it (the amendment) may not completely protect journalists from harassment, it gives the courts the discretion to decide whether journalists should be forced to disclose their sources and other information."

"The test the magistrate or judge must apply is whether such evidence is necessary. We regard this as a strict test which would, so far as is reasonably possible, protect the media and others who are called on to give evidence."

Members free to join new union

Sowetan 9/11/93

~~243~~ 243

By Joshua Raboroko

THE Media Workers Association of South Africa has reiterated its commitment to the principle of the freedom of association

The union would not have any problem with its members joining a union of their choice, Mwasa general secretary Mr Sithembele Khala said yesterday.

He was reacting to reports that some Mwasa members at the SABC planned to form the Broadcast Workers' Union because they were dissatisfied with their union.

'Sweetheart' union

Workers claimed that Mwasa leaders had sold them out after they were promoted to senior positions and that the union had become a "sweetheart" union.

In a statement, Khala said Mwasa did not have problems with members forming a

union but any union worth its salt would know that the struggle of the workers had made great advances and that mudslinging threatened the interests of worker unity

Basic objective

"The take-off point of the new broadcast union at the SABC is therefore faulty. The basic objective of a trade union is to fight for the betterment of the working and living conditions of its members.

"It is regrettable that a union should be criticised when members are promoted to senior positions. We want change but will remain committed to our aims and objectives," Khala said.

Mwasa did not want its members to remain stagnant in positions of slavery. Mwasa was not a political organisation, although political organisations loved and supported the union, Khala added.

Newsmen make a plea

Sowetan 9/11/93

Sowetan Correspondent

A WIDE array of media organisations has made a last-minute appeal to World Trade Centre negotiators to change clauses in the draft Bill of Rights on access to information and freedom of expression. (243)

An emergency meeting of the organisations was held in Johannesburg last night to thrash out a response to the latest draft of the Bill of Rights, circulated at the weekend and due to be finalised by negotiators tomorrow.

In a memorandum to talks participants, they expressed particular concern at the Bill's clause on access to information, charging that it is drawn "far too narrowly" and did not give a general right of such access

Clause stripped

They urged that the clause should be stripped of qualifications and simply read "Every person shall have any right of access to all information held by the state or any of its organs at any level of government"

Lewis⁽²⁴³⁾ complaint concluded

JOHANNESBURG — A Press Council hearing investigating complaints by Mrs Gaye Derby-Lewis concerning a Sunday Times news report published on August 1 was concluded yesterday and judgment is expected early next week.

Mrs Derby-Lewis, acting on behalf of herself and her husband Clive — who was sentenced to death for his part in the assassination of SA Communist Party leader Mr Chris Han — objected to an article which she said could have been prejudicial to her trial at the time of publication.

It was published four days before her bail application was to be heard.

The report was written by former friend of the Derby-Lewis Ms Elsa Semmelink.

Mrs Derby-Lewis was adamant that at no time had she granted permission for the article.

"There was never any question that what we discussed would appear in print. I would prejudice myself by giving an interview," she claimed. — Sapa

NEWS

'I'm still a firm rightwinger'

Gaye furious over newspaper article

Star 10/11/93

BY HELEN GRANGE

Gaye Derby-Lewis told the Press Council yesterday she was more involved than ever in the right-wing cause — despite the impression given by a Sunday newspaper that she and her husband Clive had "given up".

She was speaking at a Press Council hearing into a complaint she and her incarcerated husband laid against an article which appeared in the Sunday Times on August 1 headed "Behind bars with Gaye and Clive".

Mrs Derby-Lewis was quoted as saying she had "done enough for the volk". She was interviewed in prison after she was

arrested on charges of murdering Chris Hanl.

Derby-Lewis told the Press Council she and her husband were not made aware that the freelance journalist, Elsa Semmelink, was intending to publish the interview she gave.

"We got the impression it was something for the future... She came as a friend and because she is (Andries) Treurnicht's (the late CP leader) daughter," she said. (243)

Sunday Times editor Ken Owen denied this, saying Derby-Lewis "knew very well the interview was going to be published". Semmelink said she had not informed the Derby-Lewis

that the article was for the Sunday Times as she was not sure at that stage whether it would be bought by the newspaper.

"I wouldn't have written the article without permission, as I think that's unethical," she said.

Derby-Lewis said the tone of the report gave the impression that she and her husband had "turned our backs on the volk". "But my behaviour since then has disproved this. I am more involved now than ever."

Owen has offered to publish a letter from Derby-Lewis's attorneys, with a footnote.

The council is expected to announce the outcome of the matter soon.

Star 10/11/93

Eskom accused of sidestepping community

Krugersdorp Civic Association has distanced itself from Eskom's R9 million project to install a safe overhead electricity network in Kagiso, claiming Eskom is trying to undermine it.

Eskom denies the charge.

The project was announced last month jointly by Eskom and the Kagiso Negotiating Forum which claimed to have reached agreement "after full consulta-

tion with the community".

KCA's Ben Ntshane accused Eskom of sidestepping bona fide community representatives by setting up the forum to undermine the civic. — Staff Reporter.

Some of the teeth of Section 205 have been drawn

DAVID YUTAR
Staff Reporter

243
ARC 10/11/93

JOURNALISTS need little reminding of the hazards of Section 205 of the Criminal Procedure Act.

The notorious section makes it a punishable offence for a witness in court to refuse to disclose information, including the identity of a source of a news report

This year Beeld reporter Andries Cornelissen was sentenced to a year in prison under Section 205 for refusing to disclose information about a rally at which ANC Youth leader Peter Mokaba chanted the slogan "Kill the boer".

This weekend Minister of Justice Kobie Coetsee announced that the section was to be amended after discussions with the Press Council of South Africa and other media interests

The changes are twofold

First judges of the Supreme Court in addition to magistrates will be able to adjudicate on Section 205 subpoenas

But the most important amendment is that a witness can escape the sanction of the court if he can show he has a "just excuse" for refusing to testify

Put another way, no sanction follows a refusal to testify unless a witness has *no* just excuse for refusing to do so, or if the information required is deemed necessary for the maintenance of law and order

Democratic Party justice spokesman Tony Leon said while the amendment was a welcome improvement, ideally the section should be removed in its entirety.

Mr Leon said its retention was "out of kilter with the movement towards greater civil and political rights"

"Moving as we are to a more rights-based society it is incongruous that journalists and others called as witnesses will have this sword of Damocles hanging over them"

Campaign for Open Media organiser Jeanette Minnie said the organisation was far from happy with the retention of the section in spite of the amendment.

Ms Minnie said she was sceptical that the amended section would improve the lot of journalists, saying that in the majority of cases judges would be likely to follow precedent and compel journalists to disclose information and reveal sources.

Media lawyer David Dison described the amendment as "a big advance" and a significant victory for the Conference of Editors, whose efforts contributed to the change.

But he said it was important to distinguish between the journalist as *witness* and the journalist as a *source*.

"For the journalist as a witness the amendment is a big advance
"The bulk of section 205 cases such as the recent Cornelissen case involve the journalist as a witness.

"The amendment brings to an end that type of situation and is a great win for the Conference of Editors."

It gave the journalist as witness an opportunity to present a full-blown defence by saying there were others who were equally available as witnesses.

"He is basically off the hook now because he can say he is being singled out as an easy target

"However for the journalist as source the amendment does not offer complete protection even though it addresses a large part of the problem."

Mr Dison said the only way to protect the journalist as source would be to recognise a qualified privilege similar to that enjoyed between attorney and client.

Independent magazines join forces

FIVE independently published magazines have merged their operations to form a single joint publishing house — the Independent Magazine Group. They are SA Labour

Star 13/11/93
Bulletin (circulation 5 000), Work in Progress (7 000), Speak (8 000), Learn & Teach (30 000) and Challenge (4 500).

All five have relied heavily on foreign fund-

ing, but a shift in donor priorities has forced them to go commercial.

It has been difficult to convince ad agencies they are worthy vehicles for advertising.

(243)

Media

DEB

SUITED

at 11/12/93

S. Thirumala

By SHARON CHETTY

PROPOSED changes to the draft bill of rights made by prominent media groups have been rejected by negotiators at the World Trade Centre.

Ad-hoc and technical committees — comprising the key political groups — have rejected suggested changes to clauses governing the freedom of expression and access to information. (243)

An urgent memorandum outlining concerns of several groups, including the Conference of Editors, the Newspaper Press Union and National Association of Broadcasters, was sent to Kempton Park on Tuesday. 14/11/93

Of particular concern was clause 23, dealing with access to information

Only those who can prove that the information required is necessary to protect their rights, will be guaranteed access to information.

Another proposed change was that the freedom of expression clause be protected.

The media groups also said they were concerned that powers granted to pass laws that might restrict free speech were too "generous".

But Deputy Justice Minister and convenor of the ad-hoc committee, Sheila Camerer, said the matter was discussed at length and it was eventually agreed that no changes would be made.

"We had the legal input of law professors who argued that the press, in doing its job, would be able to show a right to protection, hence, they had a right to access to information," she said.

TML gets boost from road show ⁽²⁴³⁾

By ARI JACOBSON CT27/11/93

TIMES Media Limited's (TML) MD Dave Kovarsky has shown there is value in putting your boss on the road — the share price has risen some 25% to R23,75 after a week of presentations to investment analysts in Johannesburg and Cape Town.

However this uptrend is also in line with an upgrading of the publishing sector as competitor the Argus Group has gained 20% to close at R30 a share in the same space of time.

TML's results, which came out last Friday, were unspectacular and co-incident with a share price of R19 before the sudden sharp uptick to close out yesterday at R23,75.

Kovarsky explained that his strategy was to "tell analysts about the company" and more importantly to detail "the group's future vision".

An analyst yesterday, explaining this jump, said that TML was "cheap" relative to the rest of the publishing sector.

TML's bottom line slips 5 percent in six months (243)

ARG 19/11/93

□ Playboy costs and end of 087 business among reasons

JOHANNESBURG — A loss from the Western Cape division, the initial costs of publishing Playboy and the discontinuation of the premium rate telephone business depressed Times Media Limited's bottom line by 5 percent in the six months ended September

The group's interim report shows profit before extraordinary items at R20,7 million, compared with R21,7 million in the corresponding period a year ago

After tax profits dropped 12 percent to R13,6 million from R15,4 million a year ago.

The operating profit earned in the Transvaal division (the Sunday Times, Business Day and the Financial Mail) increased by 4 percent, in spite of a 4 percent drop in advertising volumes

The Western Cape division (the Cape Times and a 30 percent stake in the Joint Operating Arrangement) was affected by a dramatic contraction in retail and national advertising

The Eastern Cape division also showed a sharp fall in profits on the back of reduced national advertising

The interim dividend of 24c was unchanged, in spite of a fall in earnings a share of 6 percent to 93c (previously 98c)

Profit after extraordinary items jumped 30 percent to R26,6 million from R20,5 mil-

lion a year ago

TML directors said the extraordinary items included the group's R8,6 million share of M-Net's profit on the sale of Information Trust Corporation and the sale of M-Net International shares to Johannesburg Consolidated Investments

Prospects for the next six months looked brighter than for the same period last year

"However, FilmNet losses attributable to M-Net in the next six months are anticipated to exceed the profits earned by M-Net in South Africa and these losses will depress TML's results"

FilmNet losses will, however, not affect TML's dividends.

■ Pay TV channel M-Net reported earnings growth of 5 percent to R13,5 million for the six months ended September

The subscriber base of the M-Net domestic and international channels grew steadily to reach 812 000 households, which included substantial growth in African countries.

The European pay-television operation, FilmNet, has been expanded from one to four channels FilmNet Plus Nederland, FilmNet Plus Vlaanderen, FilmNet Plus Scandinavia and FilmNet — The Complete Movie Channel.

This multichannel service offers greater convenience and choice to viewers. Growth in the subscriber base has gathered momentum and now stands at more than 600 000

households

The growth in the African subscriber base, improved margins arising from the continued focus on cost management and the lower company tax rate resulted in profit after tax increasing by 64 percent

But losses incurred by associates — mainly attributable to the strategy of aggressively developing FilmNet — amounted to R22,7 million

Extraordinary profits of R47,9 million arose from the disposal of Information Trust Corporation and the introduction of Johannesburg Consolidated Investments Limited as

a 25 percent equity partner in M-Net International Holdings

In spite of past substantial tax payments of R52 million, the balance sheet remains sound with gearing at an acceptable 19 percent

Chairman Ton Vosloo said M-Net's 30 percent penetration of the domestic South African target market was already high

"As a consequence, whilst there is scope for some growth in this market, this is expected to be modest. We now have to look at other markets on the continent" — Sapa

M-Net: R125m rights offer

Low advertising volumes hit TML

CT 19/11/93
Own Correspondent

JOHANNESBURG. — M-Net will go to the market next month with a rights offer to raise R125m to fund its investment in cellular telephone company Mobile Telephone Networks (MTN).

Announcing the move at the release of M-Net's interim results yesterday, CE Koos Bekker said the group would take a 25% equity stake in MTN under the umbrella of MultiChoice, formed in September when M-Net split into two companies.

Bekker said the financial characteristics of cellular telephony were similar to those of pay-television. With major developments in European pay-television and local cellular telephony being undertaken simultaneously, he expected substantial losses in MultiChoice over the next two years.

The MTN consortium was awarded one of two cellular licences by the government in September with the second licence going to Vodacom. MTN consisted of UK-based Cable & Wireless, black investment consortium Naftel, Transtel, Fabcos and M-Net/MultiChoice.

In the lead-up to the rights offer, MultiChoice announced yesterday it had formed a new company, M-Tel, with an expected market capitalisation of R25m. CEO Peter McBride said M-Tel's sole purpose was to be a service provider for the cellular telephone market and would provide exclusively to MTN.

Meanwhile M-Net reported earnings growth of 5% for the six months to September.

The subscriber base of the M-Net domestic and international channels grew steadily to reach 812 000 households.

The lower company tax rate resulted in profit after tax increasing by 64%. Losses incurred by associates, mainly attributable to developing Filmnet, amounted to R22,7m. The net result was earnings before extraordinary profits of R13,6m.

M-Net declares and pays a single dividend in March each year.

Own Correspondent

JOHANNESBURG — Times Media, the publisher of the Cape Times and other newspapers, entered a phase of consolidation in the six months to end-September

The first half's turnover was virtually unchanged at R184,8m against R184m in the corresponding period of 1992 as the closure of the premium rate telephone services eliminated a new revenue source and as a drop in advertising volumes affected the trading of some of the group's press interests

However, good performances by core publications, particularly the Sunday Times and Business Day and, to a lesser extent, the Financial Mail, went some way to offsetting poorer trading elsewhere.

Despite the poorer interim performance, MD David Kovarsky is confident that this year's second-half prospects are better than last year's.

The interim operating profit

dropped by a quarter to R23,6m (R31,8m) and a lesser charge for abnormal items, notably lower costs on the staff share participation scheme, left the interim operating profit after abnormal items down by a fifth at R23,6m (R29,6m) The first half's pre-tax profit was R23,9m (R29,4m)

● A lower tax bill of R10,3m (R14m) gave rise to an interim pre-tax profit of R13,6m against R15,4m in the comparable period of 1992

● The share of associated companies' earnings was lifted to R7,1m (R6,9m), helped by a slight increase in M-Net earnings achieved in spite of greater losses from its FilmNet operation

Earnings dipped 5% to 93c (98c) a share but the interim dividend was unchanged at 24c a share

Kovarsky said that if the results of premium rate telephone service Call-Net were excluded from the previous year, turnover would have been 11% higher and profit before extraordinary items would have risen 8%

Sunday Times beats the rest

MORE people in the Western Cape read the Sunday Times than any other English language weekend newspaper. — and that's official.

For the first time, the independent AMPS (All Media Products Survey) has surveyed the Weekend Argus' Saturday and Sunday editions separately — making for interesting reading. (Cinema)

According to the latest AMPS figures, the Sunday Times has a total readership in the Western Cape of 425 000.

Second is the Weekend Argus on Saturday with 296 000, with Weekend Argus on Sunday trailing at 152 000 readers. (21/1/93)

When it comes to whites, the Sunday Times has 203 000 readers. The figure for Weekend Argus on Saturday is 144 000 and 81 000 on Sunday. (243)

The same trend is revealed with coloured readers. While 196 000 read the Sunday Times, 143 000 read the Weekend Argus on Saturday and a mere 69 000 on Sunday.

Which shows that the Sunday Times is truly the paper for ALL the people of the Western Cape.

TML woos black readership, radio

CF23/11/93

(243)

JOHANNESBURG — TML Media Limited has plans (TML) to boost black readership — and will apply for a radio licence

MD David Kovarsky, speaking at an Investment Analysts' Society presentation last night, said the publishing group was concerned about its lack of representation in the black readership market and was considering options to grow its presence

He said plans were under discussion, but could not as yet be disclosed.

TML was slowly reducing its dependence on advertising and planned further expansion in other areas, especially in the emerging electronic information field, he said.

This included obtaining a radio licence.

Advertising contributed 65% of TML's total turnover, which was R348,3m in the past financial year to end-March, down from 70% in 1987.

Kovarsky said it was very likely that Argus Holdings Ltd would

acquire its 37% stake in TML but when and how I'm not sure. The removal of the Argus' "inhibiting" shareholding would allow TML for greater flexibility in the market, he said.

He said TML had a long term strategic plan to grow through acquiring or creating titles, and through entrenching its existing titles — which include Business Day, Sunday Times and Financial Mail — as the dominant players in their market.

Kovarsky said TML was looking at entrenching a long term culture in the company, and would possibly sacrifice profit to achieve a long term vision

This focus meant investment in new titles — like its recently launched Playboy magazine — and in building the brands of its core publications

TML would also focus more clearly on its customers, which were advertisers and readers. The quality of its sales staff had been enhanced and it was focusing on the image of its publications. But ultimately, editorial

quality was the most important focus

It was also looking at creating a publishing group, Kovarsky said the English press had retreated its vision, while the Afrikaans press had entered the consumer magazines market, the Afrikaans market and the black market.

The Sunday Times was currently outperforming its competitors in the white market with regard to black readership, but TML did not have a publication aimed solely at the black reader.

TML intended growing its magazine division and its exhibition interests and hoped to increase its stake in the Daily Dispatch.

He said that Playboy, which was launched earlier this month into a highly competitive market, was almost sold out.

Kovarsky said that TML's expansion had been aimed at smoothing the advertising cycles and making the group less dependent on advertising revenue, particularly that received from its major publication, the Sunday Times. — Own Correspondent and Reuter

TML sole bright spark as shares take a breather

JOHANNESBURG. — SA shares ended largely softer after a dull session of low volume dealings, traders said

They said a slide in the finrand had failed to provide gold shares with any support. Industrial shares edged off the morning's lows, but nevertheless ended the day weaker.

The Industrial Index recouped some losses, but finished 17 points off at 4 867. The Gold Index shed 30 points — or 1,52% — to 1 943, and the Overall Index closed 30 points lower at 4 223.

Remgro dropped 75c, or 2,5%, to R29,25. Richemont lost 45c to R38,30, while Barlows gained a mild 10c to R44,35.

SAB was untraded in the session, but was offered 50c off at R72. Buyers

were only prepared to come in at R70. Sappi lost 50c to end at R23.

Times Media jumped R3,50, or 7,95%, to R23 after Monday's presentation to analysts. Dealers said this was despite the fact that the company presented little in the way of encouraging news. "It's just that there was no upsetting news," a player said, adding that the share had recently lagged the market, and had not been traded "for weeks".

Market leader De Beers gave up 50c to R83,50.

Among golds, Vaal Reefs was R6 down at R393. Southvaal lost R4 to R130. Anglos dropped 258c to R370,42. Loraine — which has recently clocked up strong gains — shed R1, or 4,88%, to R19,50 — Reuter.

243 CT 24/11/93

NEWS *Tribute* to publish damning story on NSB

Brewery backs down

IN A dramatic last minute move yesterday, National Sorghum Breweries backed down from an intended Supreme Court interdict to stop publication of the December issue of *Tribute* magazine

Tension rose on Monday when news leaked out that *Tribute* would hit the streets this week with a report on NSB spanning 13 pages alleging corruption, fraud and the allocation of plum jobs to family members of senior NSB executives.

The magazine is on sale today. Editor Mr Jon Qwelane says intense interest generated by the NSB story has led him to order more copies than usual.

NSB threatened to sue the magazine and prepared the legal action to stop distribution of the magazine.

A senior lawyer retained by NSB tried unsuccessfully on a number of occasions to strike a deal with Qwelane.

The lawyer's intention was to organise a meeting between Qwelane and NSB officials with the aim of reviewing the stories before publication. He also asked for copies of the story or at least to read it. Qwelane rejected the lawyer's attempts.

Qwelane says he saw no reason to meet NSB officials because he and deputy editor Mr S'bu Mngadi had spent an afternoon with NSB chief executive Mr Mohale Mahanyele at his home in Sandton going over the allegations with him. The two editors taped Mahanyele's responses.

The publication of the reports by

Tribute coincides with the postponed crucial annual general meeting of NSB shareholders and directors to have taken place this month but will now be held on December 10.

It also coincides with the current visit to South Africa of prominent American businessmen who have apparently taken a keen interest in NSB.

Some of the stories are accompanied by documents which Qwelane says came from sources at NSB head office in Sandton.

One of the damning documents is a cheque made out to a building company for work which, according to *Tribute*, was never done but the final invoice was stamped and signed by an NSB director and then charged to the maintenance department at Springs

Sowetan 25/11/93

Von Lieres digs in over duty 'in interest of justice'

'Journalists must testify'

Star 26/11/93

■ BY HELEN GRANGE

Witwatersrand Attorney-General Klaus von Lieres und Wilkau is still fiercely defending the contentious section 205 of the Criminal Procedure Act, although this legislation is expected to be amended by Parliament within days.

The section, which makes it an offence for a witness to refuse to give information in court, has been the subject of

hot debate for years.

Addressing the Johannesburg Press Club yesterday, Von Lieres reiterated his longstanding assertion that all citizens, including journalists, have a duty to give evidence in the interests of justice.

He denied that section 205 threatens press freedom. It was used with a great deal of discretion and when journalists' evidence was vital.

Von Lieres further suggest-

ed that newspapers' stand against section 205 was motivated by a desire for political protection. He questioned how they would react to it under a new government.

Amendments will be:

■ Judges — in addition to magistrates — may be approached to hear a matter.

■ A person who refuses to give information would be found guilty of being a reluctant witness if he did not have a

just excuse for the refusal, or if the information were necessary in the interest of justice or of law and order.

■ Every matter under the section will be attended to personally by an Attorney-General or a person designated by the Attorney-General.

The amendment will, in effect, give the courts the discretion to decide whether a journalist should be forced to reveal his sources

(243)



Argus ahead in 'Weekend War'

243 ARG 27/11/93

CAPE daily newspapers continue to dominate the local market in spite of the launch of new weekend issues and the intensified competition from out-of-towners.

And the new look Weekend Argus Saturday and Sunday editions have performed re-

■ Newspapers are slugging it out in a battle to capture Cape readers

Business Staff

markably well with a higher Cape Town readership than the Sunday Times and Rapport, chairman of the Media Direc-

tors' Circle Wesley Hill said in a recent survey

Mr Hill who is media director at advertising agency BSB/Bates Cape said the circulation battle was now very firmly in the weekend arena

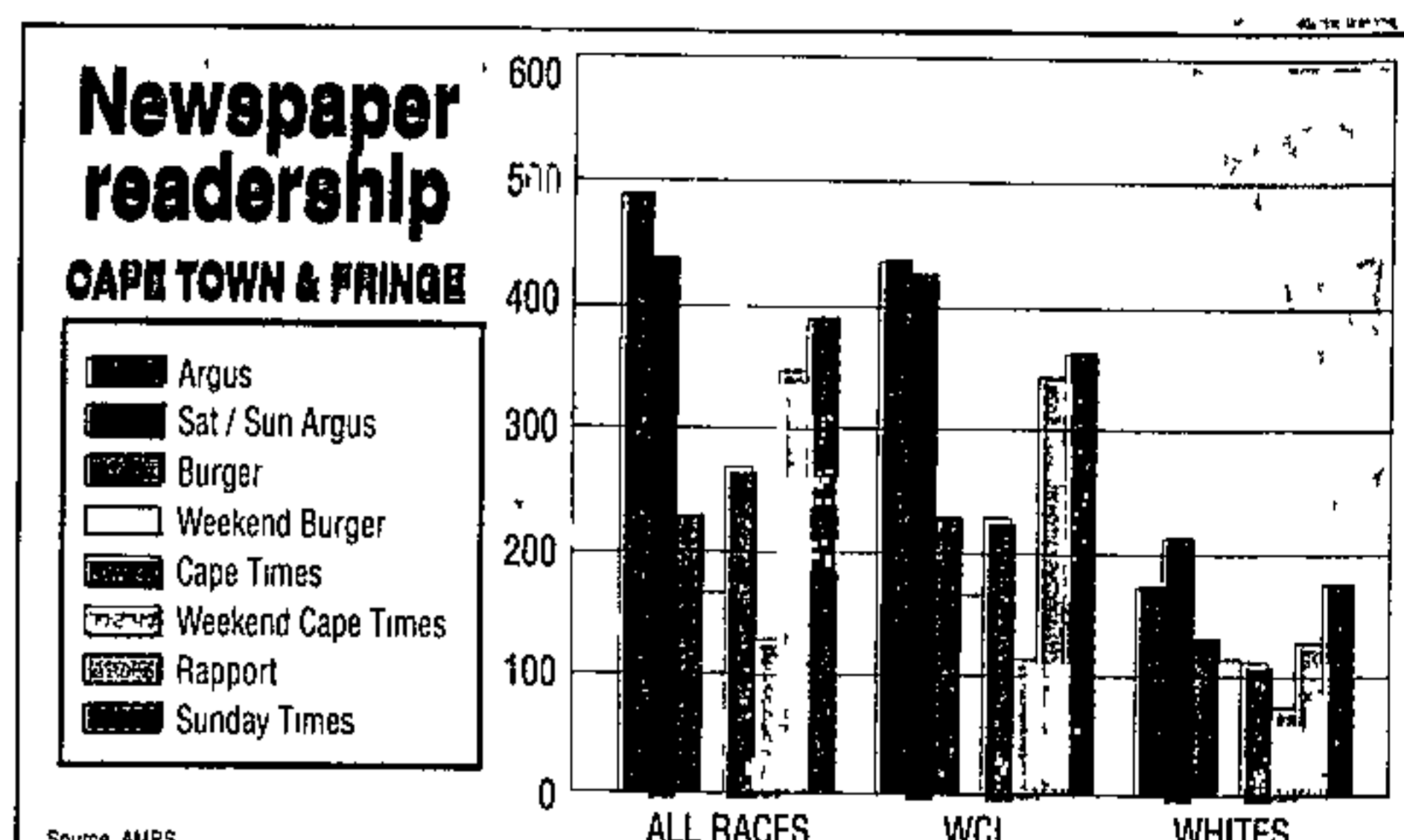
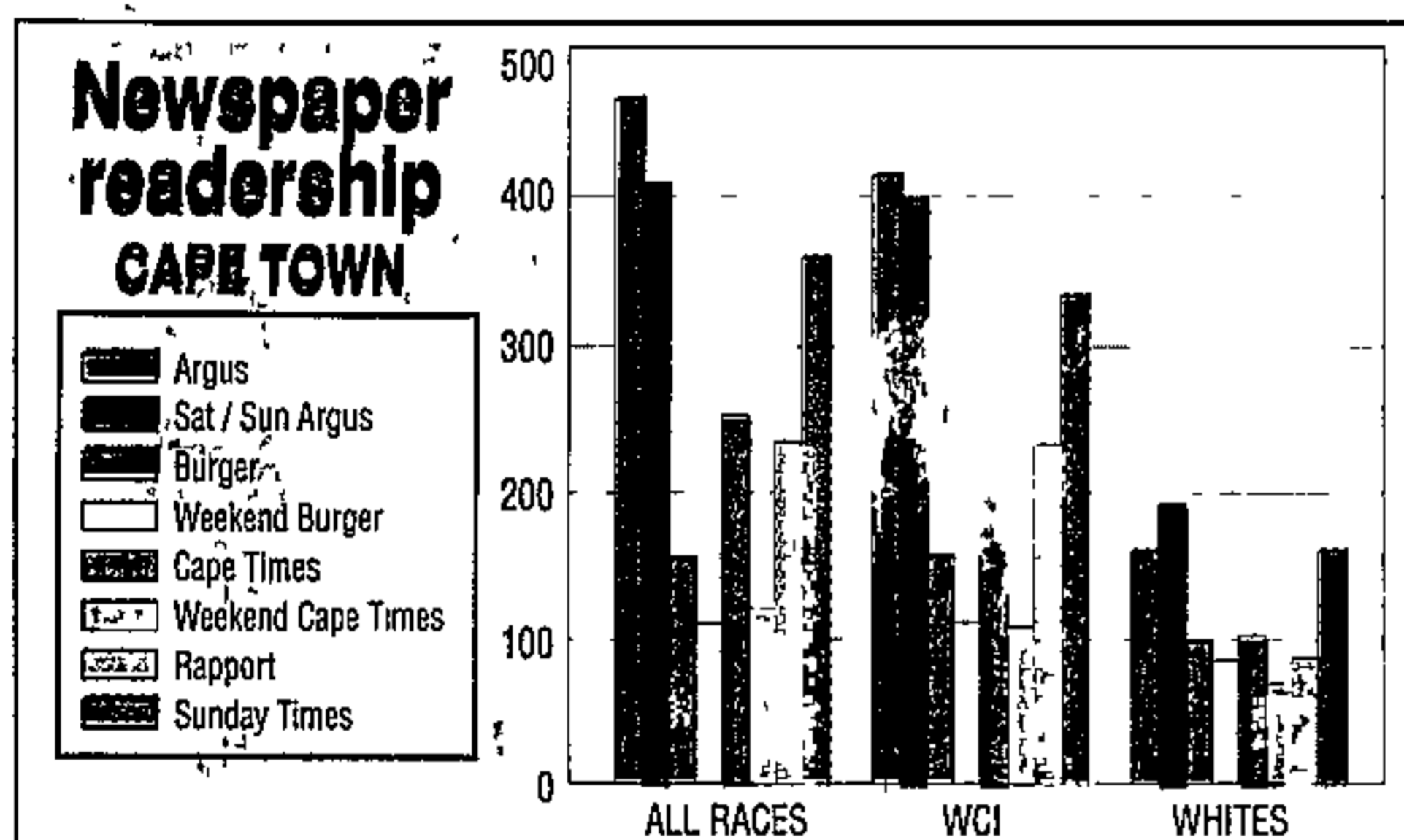
"All publishing groups are pulling out the stops to capture share

"At the end of the day, im-

proved product and value added benefits are likely to win consumer support"

Mr Hill said the latest readership patterns in AMPS '93 confirmed the dominance of the Cape daily newspapers with only one exception

A similar picture was revealed if the outlying district figures were included with the Cape Town figures



CAPE TOWN						
	ALL RACES		WCI		WHITES	
	DAILY	W.E.	DAILY	W.E.	DAILY	W.E.
Argus	464	408	412	396	158	189
Cape Times	251	121	212	107	100	66
Burger	153	111	153	111	96	83
Sun Times	-	358	-	332	-	157
Rapport	-	234	-	229	-	84

CAPE TOWN & FRINGE						
	ALL RACES		WCI		WHITES	
	Daily	W.E.	Daily	W.E.	Daily	W.E.
Argus	486	435	434	425	171	212
Cape Times	268	127	229	113	110	73
Burger	227	164	227	164	130	114
Sun Times	-	389	-	363	-	175
Rapport	-	347	-	343	-	127

Sunday Times

refuses to attend inquiry

Sunday Times Reporter

THE Sunday Times has refused to appear at a Press Council inquiry into an ANC complaint that a National Party advertisement in the paper went beyond the bounds of robust electioneering.

The newspaper's editor, Ken Owen, told the council this week that it had no jurisdiction to hear the complaint which was itself "a blatant attempt to use the council to exert political censorship".

The complaint stems from a National Party advertisement which accused the ANC of intimidating people, destroying property, stopping people from going to work, telling them where to shop, creating no-go areas and being a "dangerous" party.

Media lawyer David Dison, representing the ANC, claimed the allegations were defamatory, unlawful and untruthful. He asked that the matter be judged in terms of the council's code of conduct — the rules by which the council judges reporting.

Ed Linington, registrar of the council, declined to accept the complaint as it did not fall within the terms of the code. He pointed out that in 1987 the Conference of Editors, representing all South African editors, had decided that the council would not accept responsibility for political advertising.

However, the chairman of the council, Professor Kobus van Rooyen, found that the rules of procedure did not allow a complaint to be rejected merely because it did not fall within the terms of the code.

Natural justice demanded that all sides be heard, he said, and set down a hearing to decide whether the Sunday Times had breached the code.

Mr Owen said the Sunday Times would have nothing whatsoever to do with it.

"It is absurd for Profes-

sor van Rooyen to arrogate additional powers to himself on the basis of some vague doctrine of 'natural justice'. This is kangaroo court stuff." (243)

Dr Pallo Jordan, head of the ANC's Department of Information, defended the application as the logical consequence of discussions at the multi-party talks.

"During those discussions, the Newspaper Press Union made clear it preferred self-regulation to statutory regulation — that it did not want to fall under the terms of the Independent Media Commission (the body set up to ensure that state-financed media give even-handed treatment to all political parties in the elections campaign).

"It is then obvious that the Press Council should take responsibility for political advertising. The only other option is that political advertising should fall under the Independent Media Commission."

Mr Owen said "If the ANC wants to censor political debate, it must do so by law. As it is, Dr Jordan is using the methods and arguments of Mr P.W. Botha to try to suppress free political debate."

Mr Dison — a prominent media lawyer who in the past has campaigned actively against the National Party Government for freedoms of opinion, information and press — said the ANC's fight was with the National Party and not the Sunday Times.

He denied the move represented an attempt to censor political advertising. "We would simply like the Press Council to advise on what constitutes fair political advertising. One would then want the parties to toe the line."

He also disputed that the initiative would result in the Press Council and newspapers becoming enmeshed in endless arguments between political parties.

Slovo sues police for 'judge killer' innuendo

WM 12-18/11/93 243

Paul Stober

JOE SLOVO is suing police after the October edition of the police magazine *Servamus* insinuated he was involved in the murder of a judge in 1963.

"I emphatically deny the outrageous allegations. It is clear the dirty tricks department of the police are now entering the election campaign with slander and disinformation against those it considers political enemies," said Slovo.

The *Servamus* article recounts the

murder of Judge Simon Kuper, who was shot in front of his family at their home on March 8 1963. Neither his murderer nor the gun were ever found. The highly speculative article then "wonders" about the possibility that Slovo may have been involved.

"Although never a word was said about the judge's death in the criminal or communist underground, there were nevertheless — in Jewish circles — hesitant whispers about the role Joe Slovo played in the judge's life shortly before

his death," said the article. At the time, Ben Turok, now head of the Institute for African Alternatives, was charged with sabotage. "Turok was one of the red 'soldiers'. Slovo naturally defended him," commented the article.

Turok's case appeared before Kuper. The article said Slovo met Kuper twice, to persuade him to recuse himself, on the grounds that Turok was Jewish and "Jew against Jew" was unethical.

Servamus goes on to say: "Slovo also played on the hidden dangers if the

judge went ahead with the case. It says a lot about Judge Kuper that he did not let Slovo's intimidation worry him and went ahead with the case." The article admits the investigating officer in the case, Captain Frik le Grange, said an investigation in political circles failed to uncover any clues about the murder, but concludes, "You still wonder..."

Slovo described the story as "outrageous", and said, "It is a most horrific slander. The innuendo is clear that I may have been involved in the murder."

Cash-rich Argus in line for expansion

TOM HOOD, Business Editor

ARGUS Holdings ended the half-year to September with a cash mountain of R73 million — putting the company in a strong position for future expansion.

This was achieved after repaying R57 million of borrowings, which slashed debt to R47 million and cut the interest bill to R2,5 million from R6,8 million.

Almost R34 million of capital expenditure is planned, more than double the capex of R14,5 million on the books a year ago

This also means the company has more than enough cash to buy its R22,5 million entitlement of M-Net shares.

The group weathered the recession and will pay an unchanged dividend of 15c a share.

In spite of a decline in advertising volumes, Argus limited its earnings decline to 2,4 percent.

Earnings slipped from 84c to 82c a share on sales which advanced 10,3 percent to R846 million

Bottom line earnings were marginally lower at R35,6 million, which excludes an extraordinary profit of R10,7 million from M-Net's sale of shares in Information Trust Corporation.

The crunch came at the trading income level, where the interim report reflects a 22,7 percent deterioration, alleviated at the bottom line by the significantly lower interest bill, a reduced tax charge and a 10,5 percent rise in earnings of associated companies.

Argus's disappointing performance on the newspaper front was almost fully offset by improved results from the non-newspaper interests, highlighting the benefits of prudent diversification

Of the group's attributable earnings of R35,7 million

■ R18,2 million (51 percent) emanated from metropolitan newspapers and journals — 12,6 percent lower than 1992's halfway contribution.

■ R9 million (25 percent) came from community newspapers, magazine and commercial printing — 18 percent higher than at this time last year.

■ R8,5 million (24 percent) came from entertainment, retail and other

activities — 16 percent up on last year's share

The directors ascribe the sharp reduction in the interest bill to R2,6 million to effective cash management.

Lower advertising volumes were encountered in all publications, though circulation was marginally higher.

The interim report notes indications of a hesitant improvement in the advertising market, suggesting a lower rate of decline in the current six months.

"Nevertheless, earnings for the year to March 1994 will almost certainly be below those of the previous year"

The entertainment interests of CNA Gallo (in which Argus has a 33 percent stake) did well and were largely responsible for the generation of a 10 percent increase in that company's attributable earnings.

The percentage growth in the first six months is expected to be maintained

Of associated companies

■ CTP achieved a 19,2 percent earnings gain, with "scope to suggest that earnings for the full year will reflect a satisfactory increase".

■ M-Net returned an "impressive" growth in operating profits. The Film-Net pay-TV venture is incurring development losses. However "The group's board remains positive on prospects for the pay-TV development programme in Europe and in the future of cellular telephony in South Africa"

■ Times Media's forecast of improved trading in the current six months may be impacted by M-Net's performance.

■ Maister Directories's trading was "satisfactory". The current year's results should reflect an improvement over last year's.

Argus's balance sheet reflects improved liquidity, which, say the directors, "has positioned the group to participate in the M-Net rights issue, and to have capacity for future investment when the opportunity arises"

Chief executive Doug Band predicts that full-year earnings are unlikely to equal those of 1992-93

The share has advanced recently to yield a thin 1,8 percent, justified, however, by a four-times dividend cover, the diversity of sound interests and high net asset value

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ARG 11/12/93

Plessey asks court to gag newspaper

(243)

ART 1/12/93

DAVID YUTAR, Staff Reporter

THE weekly newspaper South should be interdicted from publishing a report allegedly defaming the electronics company Plessey Tellumat SA, the Supreme Court was told.

Charles Louw SC, for Plessey, was arguing today, the return day of an interim order granted against the newspaper and its editor, Guy Berger, in June.

In the report Plessey is accused of racist, sexist and discriminatory practices and of blatant racial discrimination by retaining the services of a white executive found guilty of sexual harassment.

The report suggested that had the executive not been white he would have been fired.

Deputy Judge President Mr Justice Fagan ordered South and its editor Guy Berger to give reasons by August 2 why the interim order should not be made final.

The return day was extended until today.

Judge Fagan said the article was clearly defamatory and Plessey had denied there was any truth in the allegations in it.

Mr Louw asked the court to reject the newspaper's defence of "fair comment" as there was no factual basis on which such comment could have been made.

Mr Louw said the article was "defamatory as it stood and therefore publication was unlawful".

The hearing continues.

Mr Justice J H Conradie is on the Bench. Charles Louw SC, with Merwe Scholtz, instructed by Sonnenberg Hoffman and Galombik, appear for Plessey. Gilbert Marcus and Norman Arendse, instructed by Basheer Waglay of Moosa and Associates, appear for South and Mr Berger.

Forensics chief wins damages on appeal

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AR 12/12/93

The Argus Correspondent

JOHANNESBURG. — Former police forensics chief Lieutenant-General Lothar Neethling has won his appeal against a Rand Supreme Court judgment rejecting his defamation actions against the Vrye Weekblad and Weekly Mail.

General Neethling brought a R1,5 million action against the two newspapers after they published reports in 1989 linking him to police death squads.

His defamation claims were rejected in January, 1991, by Mr Justice J C Kriegler, who found that allegations that renegade policeman Captain Dirk Coetzee had obtained poisons and knock-out drops from General Neethling to be used in

death squad activities, were true on overwhelming probability.

Today the Appeal Court in Bloemfontein set aside Mr Justice Kriegler's judgement and ordered that General Neethling be compensated.

But further argument is to be heard to determine the amount to be paid to General Neethling.

Vrye Weekblad editor Max du Preez said the newspaper still stands by every word of the story.

He added: "The fact the Appellate Division did not exonerate General Neethling, but merely said the court could not say with confidence who was telling the truth, surely means there is enough prima facie evidence to necessitate a full criminal investigation."

'Defamation': Judgment reserved

DAVID YUTAR
Staff Reporter

243
THE Supreme Court has reserved judgment on whether to grant a final order preventing the weekly newspaper South from publishing an article allegedly defaming the electronics company Plessey Tellumat SA

In June, South and its editor, Guy Berger, were prevented from publishing the article after the company obtained a temporary interdict against them.

In the article, the Metal and Electrical Workers Union of South Africa (Mewusa) accused Plessey of racist and sexist practices.

The union's regional secretary, Brian Williams, said the company did not treat sexual harassment seriously enough

He referred to the incident of the company's managing director who was retained by Plessey after he had been found guilty in a disciplinary inquiry of sexually harassing a female staff member

Mr Williams said the executive was white, and claimed "Had he been black, the union is certain he would have been dismissed"

On June 16, Deputy Judge President Mr Justice J J Fagan issued a temporary order against the newspaper, calling on it to give reasons by August

2 why the order should not be made final The return day was later extended until this week

South has argued that the article contained fair comment and aired issues in the public interest **ARG 2/12/93**

Plessey said the article contained no facts on which such "comments" could have been based It said that had the article been published it would have caused the company a loss of market, custom and instability in the workforce

Counsel for South, Norman Arendse, said Plessey's proper remedy lay in an action for damages for defamation

Mr Justice J H Conradie will give judgment on December 17

Report on Plessey 'is important'

243

Staff Reporter

SOUTH weekly newspaper should not be interdicted from publishing a report allegedly defaming electronics giant Plessey Telumat SA, South's legal representatives argued yesterday.

Mr Gilbert Markus, appearing for South, told the Supreme Court newspapers were a forum for public debate and the facts stated were of public importance.

'Fired'

He was arguing against an interim order granted against the newspaper, its publishers and its editor, Dr Guy Berger, in June, when the electronics company sought an interdict to stop publication of an article they claimed was defamatory.

According to papers before the court, the unpublished report suggested that Plessey used racist, sexist and discriminatory practices.

The report alleged Plessey had retained the services of several white employees found guilty of serious, dismissible offences, including sexual harassment and racial discrimination — but had fired a non-white woman employee for fraudulently requesting a death benefit cheque.

Mr Markus said a Metal and Electrical Workers' Union of South Africa (Mewusa) spokesman had recounted the incident to South, which approached Plessey for their comment before the company took out an inter-

dict against publication in June.

Mr Markus argued yesterday that the story should be published as it stood because the facts stated were "of importance to people", and the newspaper had given Plessey the opportunity to deny the claims despite risk of interdict.

"This is precisely what newspapers ought to do — South sought comment from Plessey knowing that the company regarded the statements made by Mewusa as defamatory", said Mr Markus.

He further argued that newspapers were "a forum for debate", and any "reasonable-thinking South African", without being told, would have been able to infer that because the non-white woman had been fired and various white employees had not, the company allowed racist and discriminatory practices.

CT 2/12/93
Damage

Mr Charles Louw SC, for Plessey, had earlier argued that the article was defamatory and therefore publication would be unlawful.

He asked the court to reject the newspaper's defence of "fair comment" as it had blatantly accused the company of racial discrimination and this would damage the company's reputation and business dealings.

The hearing continues.

Mr Justice J H Conradie is on the bench. Mr Louw and Mr Merwe Scholtz, instructed by Sonnenberg, Hoffman and Galombik, appear for Plessey. Mr Markus and Mr Norman Arendse, instructed by Basheer Waglay of Moosa and Associates, appear for South and Dr Berger.

FM and Tony Heard settle their dispute

Star 2/12/93

■ STAFF REPORTER

The Financial Mail has withdrawn allegations and sharp criticisms made about former Cape Times editor Tony Heard and the two have settled a long-standing dispute.

Heard sued the Financial Mail for R250 000 after it referred to Heard's editorship of the Cape Times as "somnambulant" in an article in January last year. **243**

Heard's claim for damages for defamation was still pending when the Fi-

nancial Mail withdrew its comments this week.

In the article last year, the Financial Mail criticised Heard's views on newspaper unbundling, adding that he "clearly lacks the insights of a working newspaperman".

But in this week's issue, the Financial Mail said its personal comments should not be seen as a reflection on Heard's professional capabilities. With the Financial Mail's publication this week, the matter has been settled and will no longer go to court.

Reports: General 'entitled (243) CT3/12/93 to claim'

BLOEMFONTEIN — The Appeal Court here has ordered that Lieutenant-General Lothar Neethling is entitled to receive compensation for defamation from the Weekly Mail and Vrye Weekblad newspapers.

A judgment this week set aside a 1991 order of the Rand Supreme Court which rejected Gen Neethling's claim for R1,5 million from the newspapers.

Both parties were granted leave to file further argument next year when a decision is to be taken on whether the appeal court or the trial court should decide the amount of damages.

The 255-page judgment was given by Mr Justice Hoexter, with the concurrence with Mr Justice Nestadt, Mr Justice Nienaber and Mr Justice Nicholas (Acting Judge of Appeal).

Gen Neethling claimed R1 million for 1989 reports in Vrye Weekblad based on allegations by former police captain Mr Dirk Coetzee about murders and terror attacks by the SA Police Special Unit at Vlakplaas.

He claimed R500 000 from the Weekly Mail for a report based on claims by Mr Coetzee.

The judge found that in both the Vrye Weekblad and Weekly Mail cases the defence of qualified privilege had not been established.

He found the matter defamatory of Gen Neethling in the Weekly Mail article was in no sense for public benefit.

The truth of claims had not been tested.

While it was true that in the Vrye Weekblad case what Mr Coetzee said purported to be based on his first-hand knowledge of the relevant facts, the status of the subject matter was even less impressive than that in the Weekly Mail case — Sapa

Editor slams court decision

JOHANNESBURG. — The Appeal Court's decision to uphold Lt-Gen Lothar Neethling's appeal in his defamation suit against the Vrye Weekblad was a severe blow to freedom of the press, editor Mr Max du Preez claimed yesterday.

The fact that Gen Neethling was not exonerated but that the court merely could not say with confidence who was telling the truth, still warrants a full criminal investigation into his conduct, he said. — Sapa

Newspaper 'has right to publish'

2113 CT 3/12/93
Supreme Court Reporter

SIGHT must not be lost of a newspaper's right to publish where it was reasonably satisfied it was publishing the truth, the Supreme Court heard yesterday.

This was said by Mr Norman Arendse, counsel for South newspaper and its editor Dr Guy Berger, who are opposing an interim order which bans publication of an article which electronics giant Plessey Telemut SA claims is defamatory.

The legal battle relates to an unpublished report which suggested that Plessey used racist, sexist and discriminatory practices.

The report alleges Plessey retained the services of white employees found guilty of serious dismissible offences, including sexual harassment and racial discrimination, but fired a black employee for fraudulently requesting a death benefit cheque.

Dispute

The article was also concerned with the conduct of a senior executive who was found guilty at a disciplinary inquiry of the sexual harassment of a woman employee at a conference. He was demoted and transferred.

Mr Arendse said the unpublished article was not so much about sexism and racism but about a dispute between Plessey and an employee union.

Mr Charles Louw, SC, for Plessey, said for South's defence of fair comment to succeed the facts on which the article was based must be known to it and must be accessible to the general public.

Mr Louw said no attempt had been made to say that black employees were subject to a different set of rules. Should the court disagree with Plessey then the dispute should be referred to trial.

Mr Justice J H Conradie said he would deliver judgment on December 17.

Mr Arendse and Mr Gilbert Markus, instructed by Mr Basheer Waglay of Moosa Waglay and Associates, appeared for South and Dr Berger. Mr Louw with Mr Merwe Scholtz, instructed by Mr Leonard Katz of Sonnenberg Hoffman and Galombik, appeared for Plessey.

Appeal judgment 'severe blow to press'

Neethling wins defamation action

Star 3/12/93

■ BY HELEN GRANGE

Former police forensics chief Lieutenant-General Lothar Neethling has won his appeal against a Rand Supreme Court judgment rejecting his defamation actions against the Vrye Weekblad and Weekly Mail.

Neethling brought a R1,5 million defamation action against the two newspapers after they published reports in 1989 linking him to death squad activities.

His claims were rejected in January 1991 by Mr Justice JC Kriegler, who found allegations that renegade policeman Captain Dirk Coetzee had obtained poisons and knockout drops from Neethling to be used in death squad activities were true, on overwhelming probability.

The Appeal Court in Bloemfontein yesterday set aside Mr

Justice Kriegler's judgment and ordered that Neethling be compensated. Further argument is to be heard to determine the amount. (243)

The 255-page judgment was handed down by Mr Justice Hoexter, with the concurrence of Mr Justice Nestadt, Mr Justice Nienaber and Mr Justice Nicholas (Acting Judge of Appeal).

Commenting on the judgment, Vrye Weekblad editor Max du Preez said the newspaper was proud of its original story, "and we stand by every word of it".

He said the judgment was a severe blow to freedom of the press and the credibility of the legal system.

"The fact that the Appellate Division did not exonerate Neethling, but merely said the court could not say with confidence who was telling the

truth, surely means that there is enough prima facie evidence to necessitate a full criminal investigation into General Neethling's conduct and the practices at the police forensic laboratory."

Du Preez said Vrye Weekblad would call on the State to prosecute Neethling, failing which the newspaper would seek a private prosecution.

SA Union of Journalists general secretary Karen Stander said in a statement it was an intolerable burden to place the onus on the journalist to have to prove allegations beyond reasonable doubt. "The finding has not only put in jeopardy the future of two of our finest newspapers, but it has long-term implications for all journalists involved in investigative work."

The Weekly Mail's editor Anton Harber was not available for comment yesterday.



Keeping the faith ... Musicians George Lee of Anansie, Marc Rantsele of MarcAlex, and Sipho 'Hotstix' Mabuza light a candle in recognition of World Aids Day in Johannesburg on Wednesday

PHOTO GUY ADAMS

Neethling blow to press freedom

wm 3-9/12/93 (243)

Weekly Mail Reporters

IN what is being widely described as a blow to freedom of expression, the Appellate Division yesterday upheld the defamation claim of former police forensic expert General Lothar Neethling for R1,5-million against *The Weekly Mail* and *Vrye Weekblad*.

However, in a separate judgment, Chief Justice Mr Michael Corbett did not exonerate Neethling from renegade police captain Dirk Coetzee's claim that he had supplied poison to official hit-squads. Corbett said, "This is one of the few cases in which the probabilities are evenly balanced." In simple terms, this means that he acknowledged that the claims against Neethling could have been true.

But the appeal succeeded on technical grounds, when Judge Corbett shifted the onus of proof of the allegations on to *Vrye Weekblad* (which published the original claims) and found that the newspaper had not discharged this onus.

Vrye Weekblad editor Max du Preez said, "That means our proof needed to be slightly stronger, and we would have won. The fact that the Appellate Division did not exonerate Neethling but merely said the court could not say with confidence who was telling the truth, surely means

that there is enough prima face evidence to necessitate a full criminal investigation into Neethling's conduct and the practices at the forensics laboratory."

A media lawyer added, "The judgment is still a slap in the face for Neethling."

The Campaign for Open Media's Raymond Louw said, "The judgment is incomprehensible. It is tragic that the judgment has gone this way; it is a terrible blow for freedom of expression."

Despite a 1991 supreme court finding that Neethling had misled two judges, his appeal had succeeded on a technical point, said Louw. "This judgment has wiped out all gains we have made on the freedom of expression in the past few years, exposing misconduct and malpractice by the police."

He added that the 1991 judgment had set a precedent by placing a high value on disclosures — like those published in the two newspapers — that were in the public interest by reducing the onus of proof. The latest judgment had wiped out that defence, and shifted the onus back to the media. The judgment had implications for other cases using the public interest defence, he said.

South African Union of Journalists general secretary Karen Stander said "This is a grim day for South

African journalism. To place the onus on journalists to have to prove allegations beyond reasonable doubt is an intolerable burden. We must ask ourselves whether the Info Scandal, the Johannesburg City Council spy scandal or Inkathagate would have been known if those journalists had to meet these new criteria."

The judgment has also discredited Coetzee's evidence before the Harms Commission. His evidence on Neethling's activities was instrumental in the defence of the two newspapers.

Appeal Court Judge GG Hoexter called Coetzee "an amoral person" and said "there should be steadily born in mind not only Mr Coetzee's proclivity to pervert the truth but, in addition, his cunning and ingenuity to fabricate evidence in order to lay a false trail."

The judge also suggested "there seemed to be considerable force in the argument that, having thrown in his lot with an organisation which was critical of the operations of the police, it suited Mr Coetzee's book falsely to weave into his narrative of events a senior police officer."

Du Preez said "The sad truth is that South Africa's legal system has now failed twice — the last time was the Harms Commission — to confirm the existence of something which millions of South Africans know to exist."

Reporter appeals over 'Kill the Boer' conviction

Star 4/12/93

JUDGMENT has been reserved in the appeal of Beeld reporter Andries Cornelissen, convicted and sentenced to one year in prison earlier this year for refusing to testify about an incident he had reported on.

The case relates to an incident at the University of the Witwatersrand, where ANC youth leader Peter Mokaba is alleged to have used the "Kill

MICHAEL SPARKS

the Boer, kill the farmer" slogan (243)

Josef Kruger, acting for Cornelissen, has appealed against both the conviction and sentence and also applied for the earlier case to be reviewed on the basis that the magistrate refused to grant postponements and lost concentration

during the trial.

Kruger argued that the law under which police subpoenaed Cornelissen was contentious, and that the court needed to take freedom of the press into account to prevent police targeting journalists.

He said that as there were 1 000 people at the Mokaba meeting, police should have called on other witnesses. Corne-

lissen has contended that testifying in court would make it difficult for him to carry out his job.

Gerhard Nel, acting for the Attorney-General, said police had not been able to identify any of the other people present at the meeting.

He added that a special case could not be made for journalists because they were also part of the community

Date for South ruling

JUDGMENT is to be delivered on December 17 in the case in which Plessey Telumat SA is attempting to prevent the publication of a story by Cape Town-based weekly newspaper, South. (243)

The legal battle started in June this year when reporter Edwina Booysen sought Plessey's comment on claims by Brian Williams, spokesman for the Metal and Electrical Workers' Union of South Africa, that the company was guilty of racist, sexist and discriminatory practices.

South editor Dr Guy Berger said in an affidavit the interdict was a "threat to the free flow of information".

Neethling appeal

S/Times 5/12/93

'Worst blow to freedom of press since emergency'

By CARMEL RICKARD

MEDIA lawyers say this week's Appellate Division judgment in the General Lothar Neethling case has nailed down the lid so tightly that the only hope for press freedom now lies with the new Constitutional Court and bill of rights.

The lawyers say they are devastated and that the decision reflects a fundamental inability to grasp the role of the media in a modern society. They call it the most serious blow to press freedom since the state of emergency.

The judges considered a claim by Gen-Neethling that he had been defamed by the Vrye Weekblad and the Weekly Mail. Both papers reported claims by former SAP Captain Dirk Coetzee that the general had supplied him with poison to kill anti-apartheid activists. (243)

Gen Neethling denied the allegations and claimed R1,5-million from the papers but his claim was dismissed by Judge Kriegler in the Rand Supreme Court.

The Appellate Division has upheld the general's appeal. The amount of damages must still be argued but legal costs for which the newspapers are liable are likely to be much more than his award.

Gen Neethling won his claim but the courts did not exonerate him. They found it impossible to decide whether he or the captain was telling the truth.

In a vital interpretation of law, the judges ruled that the newspapers had the legal responsibility to prove their reports true. Because the court was deadlocked over who to believe and had not been persuaded by the newspapers that their version was correct, the papers had not fulfilled their legal responsibility, and their defence had to fail.

In reaching a decision, the court revisited earlier decisions which other courts and legal academics had interpreted in a particular way. But the Appellate Division gave these decisions a different interpretation, thus closing the space in which newspapers can operate and adding to the concern of media lawyers

The judges said the media did not have a "special position" nor was there any concept of "newspaper privilege" in law, and dismissed the argument that the papers were entitled to publish information because it was in the public interest.

One section of the judgment was criticised as naive. The court said that, although Gen Neethling was a senior officer there were others to whom the media could have gone to discuss Capt Coetzee's claims. The judges mentioned the police commissioner, the Minister of Law and Order and the cabinet.

Lawyers said this option was not open to the media, since it was widely believed the other parties suggested by the court knew of police hit squads even if they did not participate in them.

They point out that Gen-Neethling could never have succeeded in his claim under US law: public officials there cannot recover damages unless they prove "actual malice".

Dean of law at Natal University, Maritzburg, Professor Jonathan Burchell, said it was disturbing that the Appellate Division rejected Judge Kriegler's reasoning, which emphasised the right of the public to be informed.

He said the Appellate Division had adopted far tougher criteria for the press to meet before publishing even information critically important for the public to know.

Shock

SUNDAY TIMES, December 5 1993

Freesheet papers launched

THE New Nation Publishing Company has launched three new freesheet newspapers with a combined distribution of 300 000

BIDAY 7/12/93
New Nation MD Zwelakhe Sisulu said Soweto Mix, Pretoria Mix and Durban Mix would fill a gap for advertisers who wanted to reach residents of Soweto and the townships of Pretoria and Durban. (243)

Plans were also well advanced for other free community newspapers in Johannesburg's CBD and its environs, Lenasia, and the townships of the eastern and western Cape. Sisulu said the launch had been delayed so that a solid distribution infrastructure could be established.

Each freesheet will have a print order of 100 000, and "direct-to-the-doorstep" distribution will be handled by PWV Distributors. The papers will be printed by Caxton

While the freesheets are targeted across all market segments, they focus on the young, educated adult.

Each Mix will cover events in its region and will have directory listings of clinics, civic and community organisations and emergency centres.

BLOEMFONTEIN — The Argus Printing and Publishing Company, the Star newspaper's former editor-in-chief Mr Harvey Tyson, and Lawyers for Human Rights director Mr Brian Currin yesterday lost their appeal against the dismissal of their exception to a claim for damages by the late Mr Justice L.L. Esselen

The appeal was dismissed with costs by the Chief Justice, Mr Justice Corbett, with the concurrence of Mr Justice Botha, Mr Justice Nestadt, Mr Justice Goldstone and Mr Justice Howie

The late Judge Esselen claimed he had been defamed in an article written by Mr Currin and published in the Star on March 27, 1990. He claimed damages of R120 000.

The exception to the claim was that it disclosed no cause of action. It was dismissed by Mr Justice G.A. Hattingh in the Transvaal Supreme Court on February 28, 1992.

Murder cases

The article had suggested racial prejudice was a factor in the administration of justice and dealt with two cases.

In the "Witbank tree murder case", heard by Judge Esselen, two black men were sentenced to death for murdering a white woman. In the "Louis Trichardt tree murder case" two white men, charged with the murder of a black man, pleaded guilty to culpable homicide and were fined.

Mr Justice Esselen died in February 1992 and his widow did not pursue the claim. The exception issue was, however, relevant to the costs in the case.

The Chief Justice said that from the reported judgment of the lower court it appeared Mr Justice Hattingh had adopted, as the basic criterion to adjudicate the merits of the first ground of

Chief Justice rules against press, lawyer's exception appeal



APPEAL RULING ...
Chief Justice Corbett

exception, the test as to whether a reasonable person might understand the words of the article to convey a meaning defamatory of Judge Esselen.

This was unquestionably the correct approach and the test was an objective one.

Counsel for the appellants had argued the article compared and contrasted the two cases, that the main thrust of the article was that the decision and sentences in the Louis Trichardt case were the product of racial discrimination on the part of the court, and that the article should not be read as casting a similar aspersion on what was decided in the Witbank case.

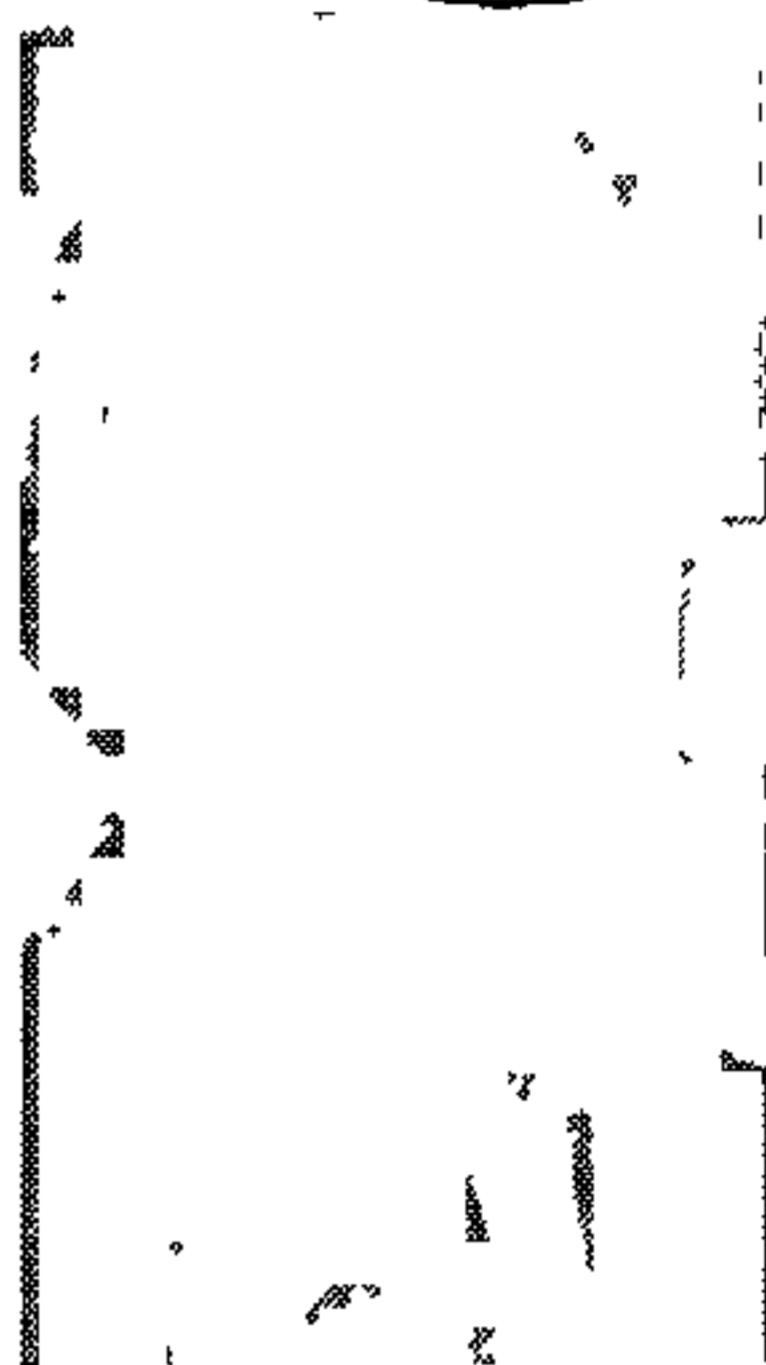
In support of this argument counsel had pointed out that nowhere in the article was there any direct allegation made that Judge Esselen was actuated by an ulterior or improper motive. It had been submitted that this was particularly important since no secondary meaning or innuendo had been pleaded.

'Discriminated'

Judge Corbett said he could not agree. It was true that no innuendo had been pleaded, but it did not follow that the plaintiff could succeed only if the article contained an express allegation of racial bias in the handling of criminal cases.

Judge Corbett noted the article's general theme was the suggestion that certain judges discriminated on racial grounds when convicting and/or sentencing accused persons.

To substantiate this suggestion the author had selected two cases



CONCURRED ...
Mr Justice Goldstone

similar in that both victims were tied to a tree but dissimilar in that the victim in the Witbank case was white, whereas in the other he was black, the perpetrators of the Witbank crimes were black, whereas they were white in the other case, the convictions were, in the view of the author, in the one case excessively harsh and in the other case excessively lenient.

The article's final three paragraphs contained general observations about "racial discrimination by our judiciary" and included "These are certainly not the only two cases which lead us to believe our courts do sometimes discriminate on the basis of race when convicting and passing sentence".

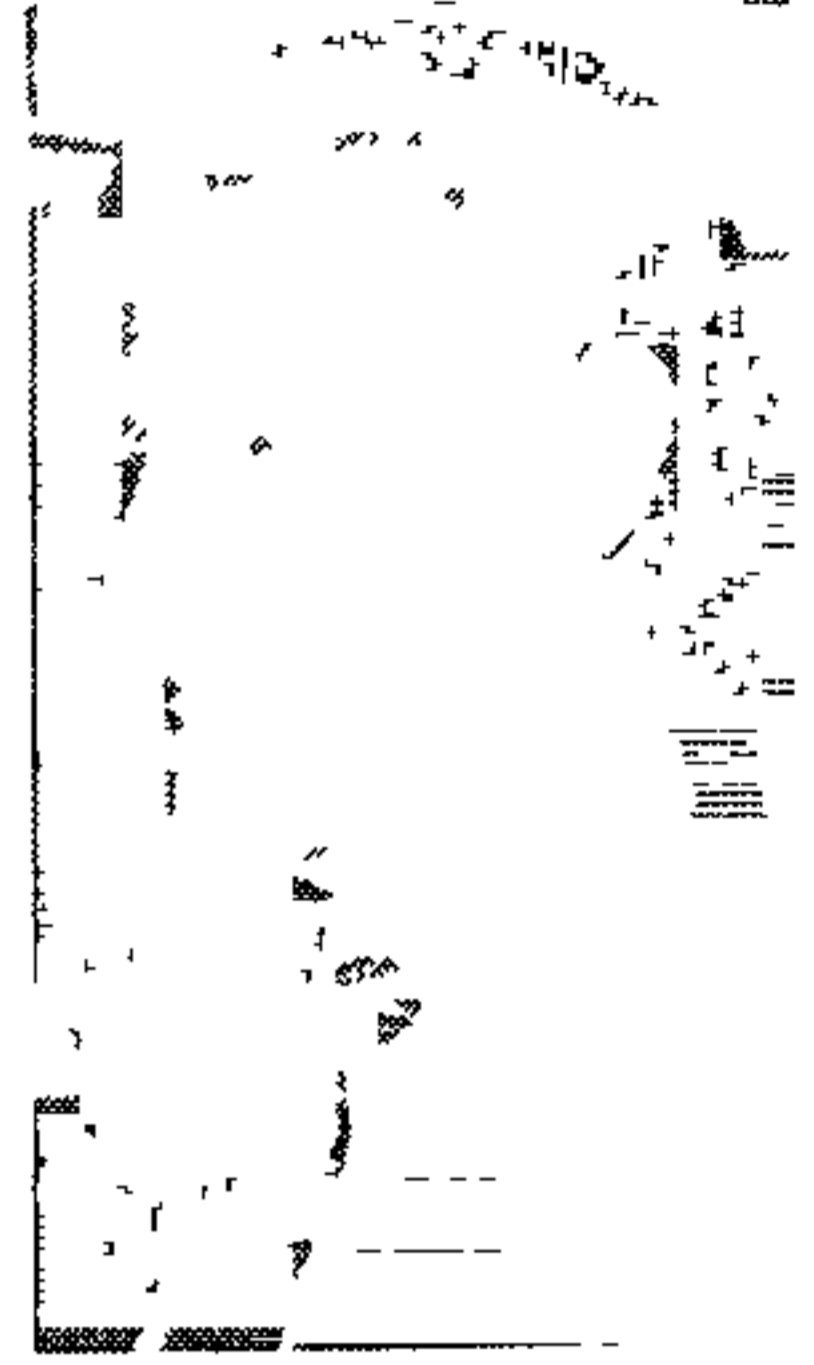
The Chief Justice said this statement, in the context of the article, plainly charged the judges in both the Witbank and Louis Trichardt cases with racial bias, in favour of whites and to the detriment of blacks, when they convicted and sentenced the respective accused.

There was also to be read into the article the imputation that the judges concerned were improperly influenced by the race of the victims.

'Novel'

It was conceded by counsel for the appellants that such imputations were defamatory, so the first ground of exception had to accordingly fail.

On the second ground, counsel for the appellants submitted that a judge should not be permitted to sue for damages for defamation in respect of criti-



LOST APPEAL ...
Mr Harvey Tyson

cism of a judgment delivered by him in his official capacity in judicial proceedings.

Counsel made it clear he did not argue in favour of a blanket prohibition against judges suing for defamation.

The Chief Justice said this was "in our law certainly, a novel contention". The firmly entrenched principle of Roman-Dutch law was that every person was entitled, as a primordial right, to be protected against unlawful attacks on his reputation and to legal relief when such an attack had taken place.

The critical question was: Did it follow that, in the disability sphere, the judge should be denied the right enjoyed by all fellow citizens to sue when he had been defamed?

Mr Justice Corbett agreed that freedom of expression and of the press were potent and indispensable instruments to create and maintain a democratic society.

He also agreed that judges inevitably attracted public criticism on occasion and should be publicly accountable.

But, he said, the law did not allow the unjustified savaging of an individual's reputation. The right of free expression enjoyed by all persons, including the press, must yield to the individual's right not to be unlawfully defamed.

The success of his action would depend, inter alia, on whether the defendant could effectively invoke one of the various defences, including fair comment and truth and for the public benefit — Sana

CT8/12/93

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focus on the media

Sowetan 8/2/93

R PALLO JORDAN of the ANC-SACP alliance recently said, when he addressed a seminar hosted by *Sowetan*, that the ANC would defend journalists' and newspapers' right to publish their views without being threatened or intimidated

The question is whether he was sincere when he expressed these sentiments or whether he was merely uttering hollow words for public consumption? Was Jordan saying one thing, while the ANC is in fact at grassroots level doing the opposite

We in the National Party have grave doubts about the ANC's sincerity and reliability when it comes to Press freedom

There is ample evidence that the ANC has little respect for the freedom of information, media freedom and the independence of journalists. Many instances have been reported where the ANC had acted in total disregard of democratic freedom and where they had harassed journalists and intimidated editors and newspapers

The ANC reminds one of the Jacobins. Towards the end of the French Revolution, the Jacobins attempted to dictate every detail of people's lives and brooked no opposition. The ANC likewise is totalitarian and prescriptive

Jordan, writing about Nation Building, says that the ANC shall prescribe to citizens what to do and how to behave as good South Africans

The following Jacobinic actions of the ANC serve as examples of how the ANC abuses Press freedom

● At the funeral of assassinated Chief Maphumulo, Mr Harry Gwala intimidated and humiliated 15 journalists who attended the funeral because "they had been colluding with the government" to the detriment of the ANC. He incited the crowd to such an extent that someone yelled: "Kill them!"

● The Zulu newspaper *Ilanga* has been subjected over a number of years to waves of intimidation from ANC supporters and structures. Street vendors who sell the paper have been harassed and physically attacked,

● ANC officials have blacklisted certain journalists because they ask "difficult questions",

● Immediately after the Bisho incident on September 7 1992, journalists had had threats made against their lives unless they slanted their reporting in support of the ANC-SACP alliance,

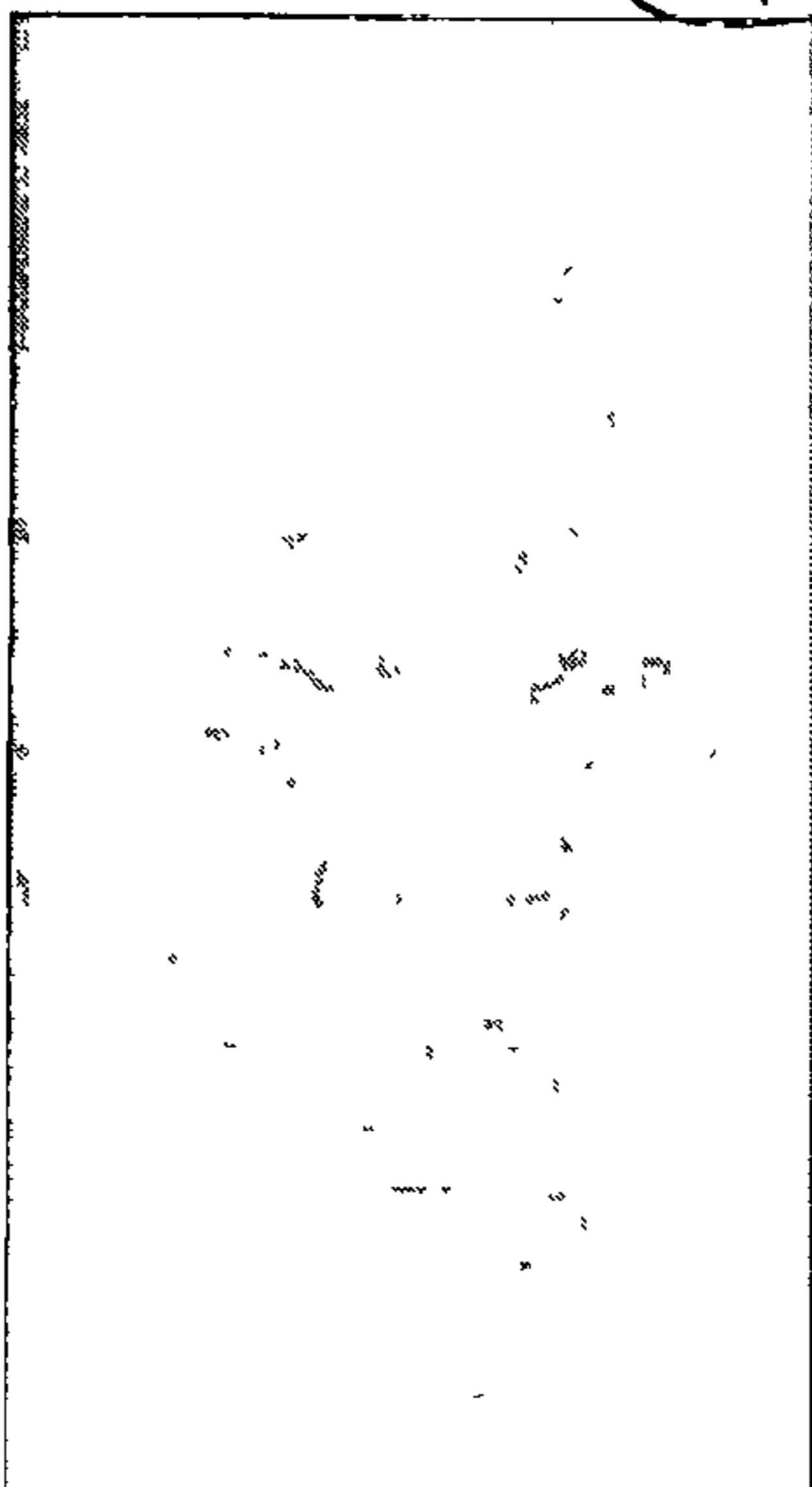
● Mr Mandela personally requested Ruth Bhengu of *Sowetan* not to publish a report on an incident in which Mrs Winnie Mandela had forcibly evicted a co-appellant in a kidnap case from her property,

● The secretary general of the South African Union of Journalists reports that accusations against the ANC of assault and harassment of journalists are recurrent, and

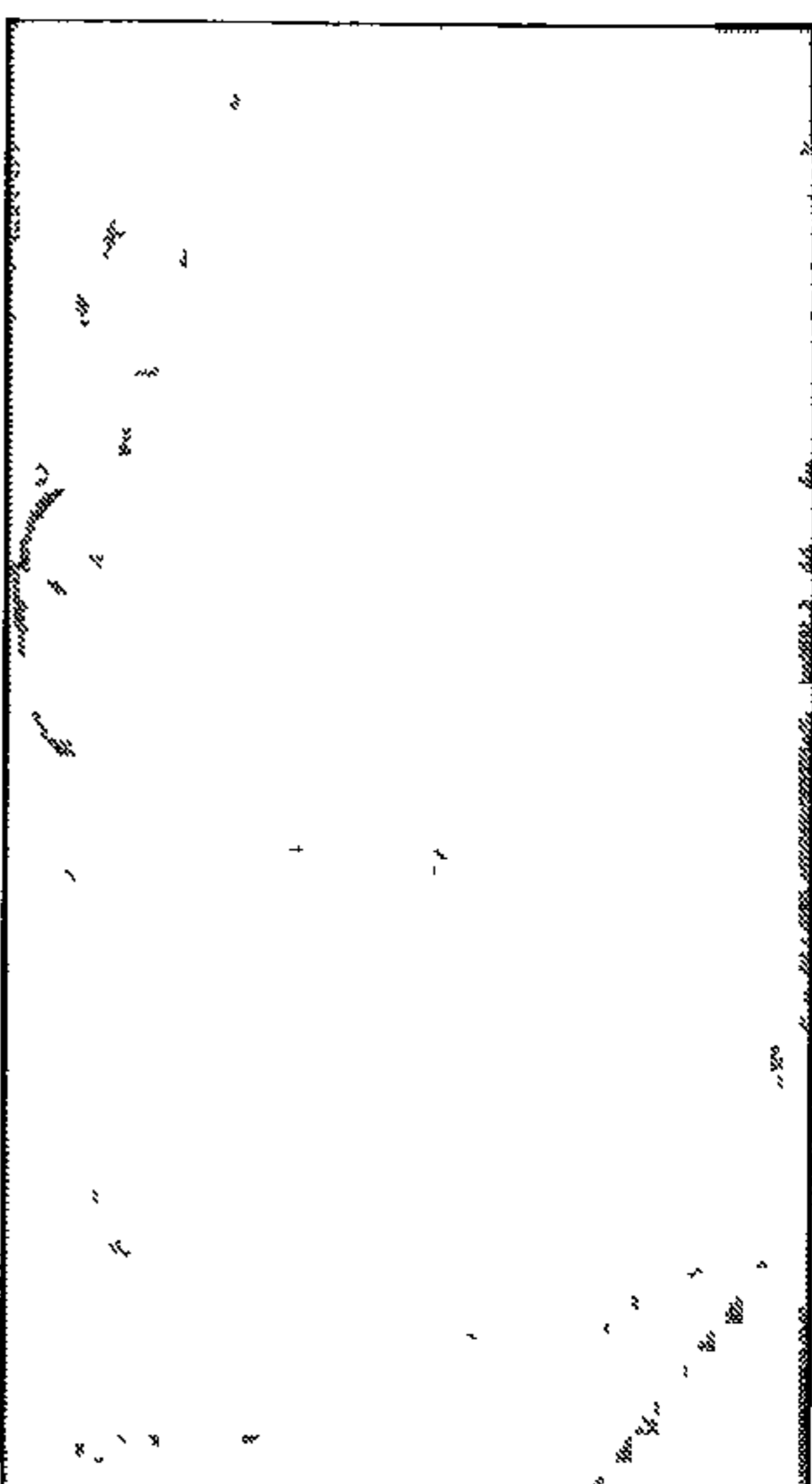
● Mr Thami Mazwai, former day editor of *Sowetan*, wrote in 1991 about a new type of censorship prevalent in the townships which poses the most powerful threat to Press freedom

Jacko Maree, National Party MP and director of information, says that his party has grave doubts about the sincerity and reliability of the African National Congress when it comes to Press Freedom and their respect for the Press:

243



Pallo Jordan



Thami Mazwai

‘We in the National Party believe that the ANC will continue in its endeavours to muzzle the Press and it will, because of its autocratic attitude, continue to intimidate the Press’

in this country. He alleged that journalists were told to toe the line and if "there were 20 people present at a meeting, you have got to add a couple of noughts, and if you don't add those couple of noughts, then you become an enemy of the struggle"

"As a result, what appears in the newspapers,

even today, will perhaps be 40 percent or 50 percent accurate, but there is that 50 percent which is made up of a particular political position, specific distortions and an attempt to influence the readership — the public — to think in a particular direction"

Recently the *Sunday Times*, *Sowetan* and other newspapers carried an advertisement placed by the National Party. The ANC complained to the Press Council that the advertisement went beyond the bounds of robust electioneering and campaigning

In complaining to the Press Council the ANC's Jordan showed how ultra sensitive the ANC was about criticism against itself, so much so that at the first opportunity it runs to the Press Council with a complaint in respect of averments made in the advertisement that were true!

We in the National Party believe that the ANC will continue in its endeavours to muzzle the Press and it will, because of its autocratic attitude, continue to intimidate the Press

The ANC cannot be trusted with Press freedom

Press decisions cause concern

SI Times 12/12/93

By CARMEL RICKARD

THREE times in a fortnight the courts have had to consider the rights of the press to publish — and in all three cases the media have lost.

The most significant of the three involved the Vrye Weekblad and the Weekly Mail, which published allegations against SAP General Lothar Neethling. The Appellate Division judgment in this case set tougher criteria for the press, even before publishing information critically important for the public to know.

Media lawyers expressed concern that the present Appellate Division did not understand the role of the media in a modern society and said the best hope for a thriving, critical press now lay with the proposed Constitutional Court.

Just days later, the Appeal Court handed down another decision affecting the press. It said judges were entitled to sue if they felt comment about a judgment they had given in court or remarks made in their official capacity were defamatory.

In its decision given this week, the court seems to discourage judges from litigating, but at the same time upholds their right to do so. It said it was not a "happy state of affairs" for judges to sue about their competence or integrity, and that judges should be "chary" of doing so even when what has been said amounts to defamation. Nevertheless judges had every legal right to sue.

This judgment has raised concern that the press, already far more respectful and careful in its comments about judges than the US media for example, will be further inhibited. Lawyers who cannot be named for professional reasons, said the court acknowledged judges needed to be "accountable" to society. However, inhibiting public comment tended to undermine the mechanism for holding them accountable. (243)

If the bill of rights were already in place, these would have been good test cases for the Constitutional Court to consider the strength of the press freedom clause

The third judgment against the press was given by the Cape Supreme Court against Huisgenoot/You this week. The court decided that the magazines had breached the privacy of Anna Jooste, a former lover of Naas Botha, when it published a story about their relationship and their child.

The court said Miss Jooste approached the magazines offering them the story and signed a contract giving them the right to run the interview. She added several verbal conditions, but the magazines published without meeting them.

The magazines are considering whether to appeal, saying the judgment gave the impression that a member of the public who signs a written agreement with the media can later break the agreement and insist the story not be carried.

ANC urges Press Council to act as umpire in dispute

THE Press Council will rule on Friday on a complaint by the ANC against a National Party advertisement printed in the Sunday Times. 12/12/93

The ANC contends that the advertisement published last month was "malicious" and "libellous" as it depicted the ANC as a party that consciously intimidated people, destroyed their property, stopped people from going to work, told them where to shop, created no-go areas and was dangerous. (243)

It wants a ruling from the council that the advertisement went beyond the bounds of acceptability, "even within the context of robust electioneering".

At a hearing on Friday, ANC head of publicity and information Dr Pallo Jordan submitted that the council should act as an "umpire" as it was the chosen body that regulated the press.

Dr Jordan said despite the fact that the council's constitution did not cover advertisements, the body needed to adjudicate over this matter in the interests of freedom

SI Times

By SHARON CHETTY

of expression and within the ambit of its code of conduct.

"If there were no rules and no umpires, none of the players could cry foul. Disputes could descend to such a low level of debate that the information emanating from the disputes would become completely unreliable and misleading," he said.

"We do not ask the Press Council to sanction the Sunday Times but we do call on it to accept jurisdiction over this type of complaint," he added.

Both the Sunday Times and the NP have declined to attend the hearings.

An expert witness at the hearing, the director of the Independent Media Diversity Trust, Mr Clive Emdon, said the current political situation in South Africa called for editorial scrutiny of political advertisements.

At present, advertising was not regarded as an editorial responsibility, he said.

Two recent Appellate Division judgments have not only impaired the ability of the press to report on allegations of official corruption, but could also have harmed the court itself by excluding it from the legal mainstream, writes Etienne Mureinik

Chill sets in over powers of the press

Star 16/12/93

By two recent judgments, the Appellate Division in Bloemfontein has aroused great unease about the freedom of the press to publish matter critical of public officials.

In the first, the AD upheld a claim by General Lothar Neethling, a senior police forensic scientist, for damages for defamation by reports in *Vrye Weekblad* (based on information supplied by self-confessed death-squad leader and ex-police captain Dirk Coetzee) accusing Neethling of supplying poison for political assassinations.

In the second, the AD decided that a Supreme Court judge can sue for defamatory criticism of his or her judgments. The effect is to permit a claim brought by the late Judge Esselen, arising from an article in *The Star* allegedly implying that a judgment of his was racist, to proceed to trial.

Nearly everyone accepts that the press has to be restricted by legal remedies for defamation. No one considers it desirable for the press to publish damaging falsehoods. Friends of press freedom, however, are always suspicious of legal developments that may have what is called a "chilling" effect on press scrutiny of public officials.

Theirs is not a concern that the law will inhibit the publication of untruths. It is a concern that rules designed to suppress falsehood may have the effect also of suppressing the truth.

The problem is that the press is often unable to verify its information with certainty. If the law puts a newspaper at risk of a large award of damages when it cannot demonstrate the accuracy of a report criticising official conduct, the newspaper is likely to withhold information that may be true and which, for the sake of good government, the public ought to know.

It is mainly for this reason that the United States Supreme Court, in its famous judgment in



Dirk Coetzee . . . accusations rejected by court.

New York *Times v Sullivan*, ruled that a public official cannot recover damages for defamation relating to his or her official conduct unless the newspaper actually knew the report was false, or published with reckless disregard of whether it was true or false. And it is for the official to prove knowledge of falsehood or reckless disregard.

This rule is highly sensitive to the chilling effect. It gives newspapers wide latitude in their coverage of public officials. Some argue that it encourages the press to avoid investigating too closely, because unless a newspaper knows the story is false or recklessly disregards the truth, it cannot be held liable. Ignorance, says eminent US constitutional lawyer Laurence Tribe, is bliss.

But there are other legal responses, also sensitive to the

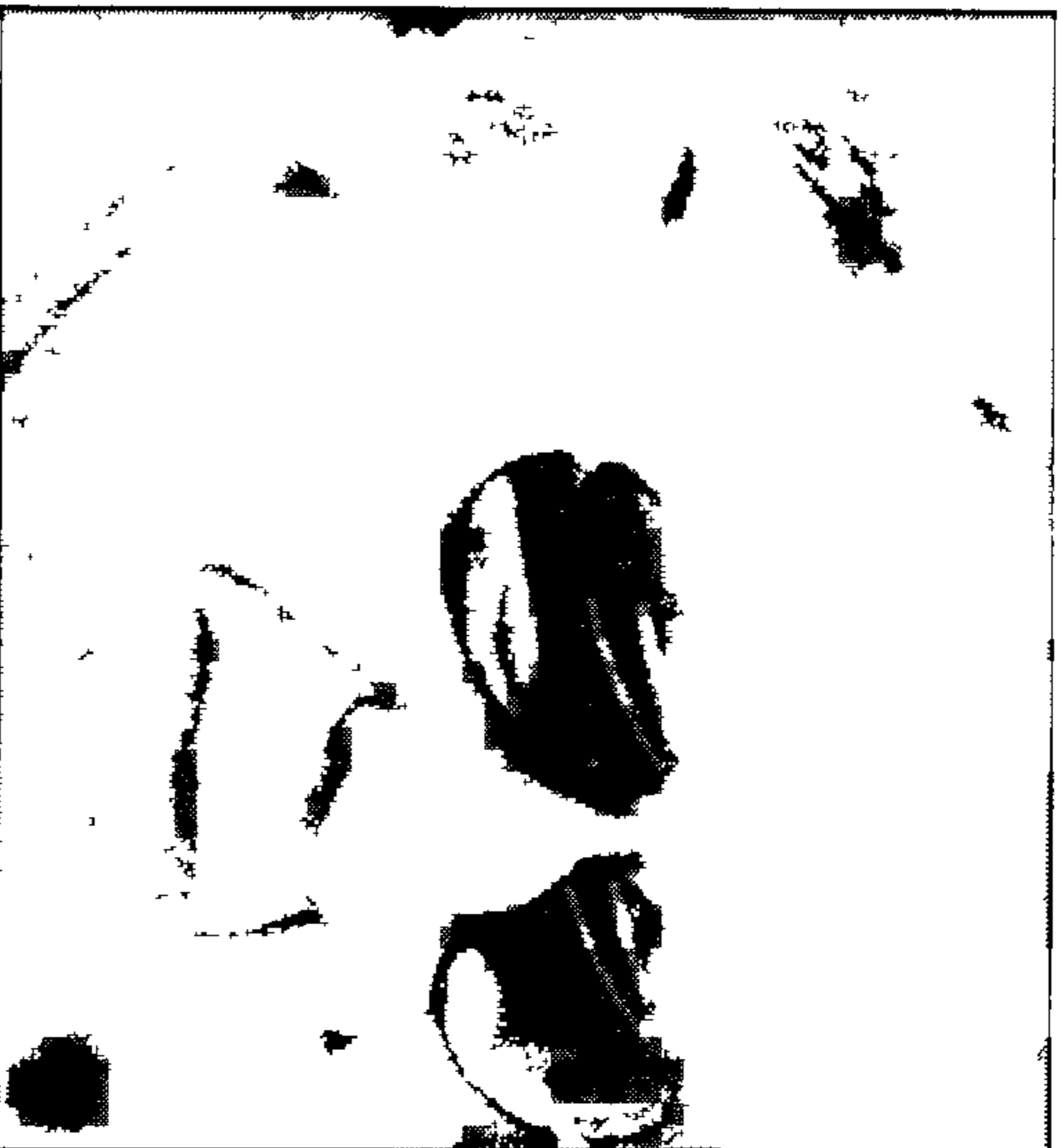


Max du Preez . . . editor of *Vrye Weekblad*.

chilling effect, that are not vulnerable to this criticism. One is severely to limit the quantity of damages for which a newspaper can be held liable when it defames a public official.

Another is to absolve the press of liability when it publishes in discharge of a duty to inform on a question of pressing public concern. Yet another is to excuse the newspaper where it has taken reasonable care to ascertain the truth, even if in the end the report is false.

In fact our law is insensitive to the chilling effect. In place of the New York *Times* rule, it requires a newspaper, to escape liability, to publish the actual truth, and to publish it for the public benefit. This is not new law. But what was uncertain before Neethling's case was who carried the burden of proof: is it for the official to prove falsehood, or for the paper to prove truth?



Neethling . . . won his appeal for damages.

The AD ruled that the newspaper carries the burden of proof. That decided the case against *Vrye Weekblad*, because the court was unpersuaded by Dirk Coetzee's story that he had obtained poison from Neethling, who flatly denied the allegations. And that made it impossible for *Vrye Weekblad* to discharge its burden.

So a newspaper that comes into possession of disclosures such as Coetzee's — disclosures central to the exposure of the whole hideous death-squad industry — can now safely publish only if it is confident that it can prove them true. Where an American official has to prove the newspaper's knowledge of falsehood or reckless disregard, a South African newspaper has to prove that its story is true.

The certain consequence is that our press will suppress reports of official brutality, fraud

and maladministration which are true, just because they cannot be proved so, even after thorough investigation. Corrupt officials will now sleep easier.

The AD did explore the possibility of softening its ruling by recognising a duty to inform which might absolve a newspaper when it publishes a false report in the public interest. But in the end the court recognised only a very narrow duty — far too narrow to empower the press vigorously to scrutinise public officials.

So the final effect of Neethling's case is to leave newspapers that publish reports critically of public officials without solid proof of serious risk of suit for defamation. Many will choose not to publish, and the public will consequently lose the benefit of searching press scrutiny. To rub salt in the wound, the Esselen case now adds to the

class of public officials who can sue for defamation — and whom it is therefore risky to criticise — all the Supreme Court judges. In its judgment in favour of Judge Esselen, the AD was unable to cite a single previous case in which a South African judge's defamation suit, arising from criticism of a judgment, had come to court.

The AD's decision gives Supreme Court judges — whose judgments require especially vigilant public scrutiny because they not only decide cases, but also make law — a new and potent weapon against their critics. On its own that might not be desperately harmful to press freedom. But two features of our law make the Esselen judgment an ominous innovation.

One is that judges are already over-protected by their power to punish for contempt of court. The other is that the Neethling

judgment — and the judgments on which it builds — make it easy to bring a defamation suit, and hard for a newspaper to defend it. It is largely the context created by the Neethling judgment and its predecessors that makes the Esselen judgment so disturbing.

The striking feature of both judgments is how little attention they pay to the chilling effect on press scrutiny of the rules they announce. One explanation may be the meagre attention given to United States law, which is very conscious of the need to avoid that effect.

In Neethling's case the AD dismissed US law as something shaped by the guarantees of freedom of speech and the press in the US Bill of Rights, guarantees that we are about to acquiesce, but do not yet enjoy. The implication seems to be that, without a Bill of Rights, our

courts cannot give the same weight to these values as the American courts do. That implication is wrong. A Bill of Rights is necessary only to enable the courts to strike down statutes, and to extend their power to control other governmental action. Our law of defamation is judge-made, and in making it the judges have all the power now that they need to revoke press freedom. The problem is simply that the AD does not seem to appreciate the threat that its judgments constitute to vigorous press scrutiny.

Sadly, with these judgments the AD has done itself as much harm as it has the press. The Interim Constitution will altogether deprive the AD of constitutional jurisdiction, including jurisdiction to enforce the new guarantees of freedom of speech and the press.

The effect will be to exclude the AD from the legal mainstream. Many observers consider that a most peculiar arrangement, especially because both the new Constitutional Court and courts subordinate to the AD will have constitutional jurisdiction. Some critics still hope to have this arrangement reversed in the final constitution to be written by the parliament to be elected next year. To them the riposte will be that the AD does not prize the values entrenched in the new constitution sufficiently to be entrusted with their enforcement.

It will be said that even the cream of the AD — and these judgments were written by judges who have emancipated other areas of the law from degrees of torpor — belong to a tradition not alive enough to the importance of the new constitutional values. However unfair that conclusion may be, these judgments will certainly be cited to support it. ■ *Mureinik is Professor of Law at the University of the Witwatersrand.*

Company wins interdict against newspaper

Star 18/12/93

PATRICK FARRELL

CAPE TOWN — Electronics company Plessey Tellumat SA has been granted a final interdict in the Supreme Court preventing South newspaper from publishing an article accusing the company of sexual and racial practices.

Mr Justice Conradie said yesterday that Plessey had made out a "clear right" for the final interdict. Plessey was granted a temporary interdict against South and its editor Guy Berger in June, which was later extended.

The article was about views expressed by the Metal and

Electrical Workers' Union of South Africa accusing the company of sexual and racist practices (2/4/93) (is it?)

The article referred to Plessey retaining the services of a white executive who had been found guilty in a company disciplinary hearing of sexually harassing an employee.

The article quoted the union's regional secretary Brian Williams as saying "If he had been black he would have been dismissed."

South claimed the article was in the public interest and contained fair comment. Plessey claimed the article contained no facts on which such comments could be based, and that if it were published it would harm the company.

Mr Justice Conradie said the average reader of the article would be left with the impression that the executive had been left by Plessey to instill fear in his underlings.

"The article does not mention that the executive was stripped of his directorship of a Plessey subsidiary, transferred to Cape Town and given a spe-

cialised job where he is isolated from other employees."

The judge added that if the reader were told these facts, the fears expressed by the union, that women employees were in danger of being harassed, would be put in perspective.

"I do not agree that the facts in the article are substantially true — they can also be substantially misleading as facts are omitted."

He ruled that the interdict be made final and that South and Berger pay the costs. South was given leave to argue within 10 days the costs of the two hearings in June and August.

Council rejects ANC complaint

By SHARON CHETTY

SITIMEO

THE Press Council has dismissed a complaint by the ANC against a National Party advertisement carried in the Sunday Times last month. 1912 1913

A majority of panel members found that advertisements did not fall within the ambit of the Press Council's constitution and code of conduct.

But they suggested that the council "review the situation with urgency" and that it review its code of conduct to provide guidelines for political advertising.

However, the chairman of the hearings, Professor Kobus van Rooyen, differed with the other members and said he would have upheld the complaint as the sweeping claims of the advertisement went "beyond the bounds of fair comment, even in an advertisement".

The panel noted that political adverts were excluded from the Advertising Standards Authority code of conduct and that the Independent Media Commission Act did not apply to privately-owned news-

papers. The Electoral Bill applied only to political parties and candidates. Therefore complaints against adverts could only be taken to court — a time-consuming procedure. (243)

They said self-regulation was an expressed ideal of the media in the country.

The ANC had contended that the advert was "malicious" and "libellous" as it depicted the organisation as a party that consciously intimidated people, destroyed their property, stopped people from going to work, told them where to shop, created no-go areas and was dangerous.

It wanted a ruling from the Press Council that the advertisement went beyond the bounds of acceptability, "even within the context of robust electioneering".

ANC head of publicity and information Dr Pallo Jordan submitted last week that the council should act as an "umpire" as it was the body chosen to regulate the press.

Both the NP and the Sunday Times declined to take part in the hearings.

South African Judge
Ruled on Defamation

Sunday Times Reporter

PUBLICATION of defamatory matter could not be justified on the grounds of public interest only, the Cape Supreme Court has ruled.

Mr Justice Johan Conradie granted electronics giant Plessey Tellumat SA a final interdict preventing South newspaper from publishing an article alleging the company practised sexual and racial discrimination. *SITUED*

Judge Conradie said in the context of the article, alleged acts of sexual harassment by Plessey employee Kevin Baynham formed the basis for the comment. *19/12/93*

In the article, a union official was reported as saying union members feared for their safety because of the presence of a known offender. The official's comment could have laid claim to being fair comment had there been a threat of a union member being molested by Mr Baynham, Judge Conradie said.

However, the fact that Mr Baynham had been transferred to Cape Town and no one reported to him any longer, would have deprived the comment of most of its force. *(243)*

The judge said a recent Appellate Division decision had put it beyond doubt in South African law that publication of defamatory matter could not be justified on the grounds that it was in the public interest, but must be shown to be true. Judge Conradie was referring to a judgment upholding an appeal by General Lothar Neethling against claims he supplied poison to police hit squads.

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SHLS

Council dismisses ANC gripe about NP advert

Star 20/12/93

The Press Council has dismissed a complaint by the ANC against a recent advertisement by the National Party in the Sunday Times newspaper. (243)

The ANC lodged the complaint, arguing the council should find the advertisement — which said among other things that the ANC was a dangerous party, intimidated people and

created no-go areas — defamatory and unfair.

The advert went on to suggest that people must vote for the NP.

A Press Council panel decided that the advertisement did not fall within the ambit of its code of conduct, and that it could not extend its jurisdiction without an amendment to its constitution and code by the full council. — Sapa.

INGRID SALGADO

Party wants the Cape to secede

BIDAY 24/12/93

A NEW political party calling for the sovereignty of the Cape has vowed to contest the April 27 election, and expects to win majority support within the province's current boundaries.

Established four months ago, the Cape Republic Party (CRP) claims to have tens of thousands of supporters. It has rejected the results of a recent western Cape poll which gave the NP a firm lead in the region's voter support.

CRP western Cape executive member Desmond Welthagen said: "About 98% of thousands of

people we have spoken to are in favour of a separate sovereign state."

The Cape's 3-million "coloured" voters have been targeted. The party said the province belonged to "the indigenous brown Africans who are its original inhabitants".

It was currently canvassing support in the western Cape and hoped to target the eastern Cape in the future.

The party was afraid that an ANC-dominated central government would mean communist control.

"We know that 3 000 ANC members have been convicted of violent crimes in the past year. With figures this high, it indicates there is a concerted conspiracy on the ANC's part," Welthagen said.

In a statement released this week, the party claimed ANC soldiers "continue to eliminate the executive of the Inkatha Freedom Party and have killed more than 300 so far". It would petition the Goldstone commission to inquire into ANC activities.

It said the commission

had investigated activities of the KwaZulu police but refused to look into the deaths of more than 500 police officers.

The party also slammed the NP and the DP for allowing millions of squatters "sent to the Cape by the ANC to become a festering sore around our mother city".

The CRP said it had no connection to any other political party or organisation. ANC and Freedom Alliance spokesmen said yesterday they not heard of the CRP's existence.

Nominees for media body

WILSON ZWANE

LAWS which will govern media operations, the Independent Media Commission and the Independent Broadcasting Authority Acts, are likely to come into effect on January 12.

However, the closing date for nominations for the chairman and six members of the Independent Broadcasting Authority is January 21.

In terms of the Independent Broadcasting Authority Act, the nominations will come from interested parties and members of the public at large.

The TEC said in a statement this week the councillors would, in terms of the Act, be:

□ Persons suited to serve on the authority by virtue of their qualifications, expertise and experience in fields, such as media law and journalism;

□ Persons who are committed to fairness, freedom of expression, the right of the public to be informed as well as to the openness and accountability on the part of those holding public office; and

□ Representative of a broad section of SA's population.

Until January 7, nominations can be faxed to (021) 455489. After that, nominations can be faxed to a number which is yet to be made public. Nominations can also be posted to Private Bag X878, Pretoria, 0001.

New SA 'retains some draconian laws'

SOME of the worst features of the "old" SA were being retained by the new, the SA Institute of Race Relations said yesterday.

"These include giving a new government the same powers as NP governments have had to ban opposition organisations," it said.

Another was "the cynical penchant to give laws names which belie their

real purpose".

"To call a law which provides for the arbitrary banning of political organisations the Abolition of Restrictions on Free Political Activity Act is just as cynical as calling the law which imposed apartheid on universities in 1959 the Extension of University Education Act.

The institute said one of

the most harmful laws in SA was the Unlawful Organisations Act of 1980.

"Yet instead of consigning this power to the dustbin of history, the tricameral Parliament in its dying moments used the quaintly named new Abolition Act to reintroduce for the new government the power to ban political organisations." — Sapa.

Growth

BIDAY 24/12/93 □ From Page 1

construction, such as Alusaf and Columbus, came through.

Consumers would spend more if confidence improved after the elections, as low inflation increased real disposable income.

Old Mutual economist Ursula Maritz revised her forecasts to 2,5% from 1,5% after the release of third-quarter GDP figures. Exports were expected to improve as the

G-7 economies were forecast to grow at least 2% in real terms from this year's 1%.

Old Mutual forecast a strong turnaround in GDFI growth to 2% from a decline of 4% this year. The growth rate in GDE was also expected to more than double to about 2,5% from this year's 0,5%.

Maritz predicted that growth in private consumption expenditure would surge to 2% after being virtually flat this year.

Cash registers

BIDAY 24/12/93 □ From Page 1

peak in Christmas trade in November, as many shoppers went away over December. Corlett said there had been an increase in real term sales over this period of 5%-10%.

Southgate marketing manager Monica Feldsman said there had been "record sales" this month. About a million shoppers — almost 45% more than last year — had visited the centre over the past three weeks. She believed December sales would increase by about 25% over last year. Some of the major stores had reported sales increases of up to 60%.

Cresta Centre manager Savvas Koutoufides said. "We've seen a major increase in

foot traffic compared with last year. Tenants are doing a lot better."

Eastgate manager Mike Rodel said: "No one expected fireworks but business has definitely picked up on last year. It is about what we expected." There had been an 11% increase in pedestrian traffic compared with last Christmas and the centre expected 1,75-million visitors this Christmas.

He expected the centre to record overall growth of 8%-16% on last December.

Westgate marketing manager Denise Niemack said spending per head this Christmas was down on last year although pedestrian traffic had increased

Shares

□ From Page 1

Besides being one of the world's top 10 stock markets in terms of capitalisation, analysts saw the JSE as important because

Observers said many US financial and investment houses visited SA to explore the opportunities of, traditional future

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WORLD DRIVE

PRESS FREEDOM
F-UM 24/12/93
No comment

In yet another blow to press freedom, the Cape Supreme Court has prohibited publication of an article in which a trade union accuses electronics company Plessey Telumat SA of racism and sexism. The union alleges that the company failed to fire several white employees, including a senior executive, found guilty of serious offences, but fired a black worker for fraudulently requesting a death benefit cheque (243)

The article was to have appeared earlier this year in *South*, an independent weekly newspaper in Cape Town. But when *South* submitted the report to Plessey for comment before publication, the company sought and obtained a temporary interdict stopping publication. The interdict was made final last week by Judge J H Conradie.

Plessey argued that the article was defamatory and that there was no basis for the newspaper's defence that it was "fair comment." *South* responded by claiming the right to publish, if it was reasonably satisfied that what it was publishing was true.

South's counsel, Gilbert Marcus, argued that the task of the press would be impossible if journalists could not rely on facts that were generally known or could be inferred. He said an interdict was only justified if no other remedy was possible: Plessey had been asked for its comments on the *South* article before publication, the company could also take up the matter with the Press Council after publication; or it could institute an action for defamation.

FUM 24/12/93

The substance of the report was given to *South* by a spokesman for the Metal & Electrical Workers Union. The newspaper then approached Plessey for comment before publication, in spite of the risk of an interdict — which was precisely what a newspaper should do. Marcus argued further that any reasonable South African would have been able to infer that because the black woman employee had been fired and several white employees had not, the company allowed racist practices. (243)

But Plessey countered that a defamation case after publication would not compensate for the damage that could be done to the company's name and business dealings if the report appeared.

Unchallenged facts presented in court showed that Kevin Baynham, MD of a Plessey subsidiary, was found guilty at a company disciplinary inquiry of "unacceptable verbal behaviour." Three women employees had accused him of sexual harassment. He was given a final written warning and transferred to a section of the company where he was not in a position of authority over other employees. Plessey justified not sacking Baynham because he was crucial to the company's performance.

In his judgement, Judge Conradie said the publication of defamatory matter could not be justified on the grounds of public interest alone. The information must be shown to be true. He said this had been established beyond doubt in the recent Appeal Court decision which upheld an appeal by former SAP forensic department chief Lothar Neethling against the setting aside of a defamation action, in which he had sued *Vrye Weekblad* and *Weekly Mail* for alleging that he supplied poison to hit squads.

The irony of the Plessey case is that had the company simply responded to *South's* request for comment, the report would have been read by a relatively small audience and would probably have had little impact on the company.

But by taking the matter to court, it has become a national media issue. The presentation in court of documents exposing internal disciplinary issues and the behaviour of staff has probably done far more harm to Plessey's reputation than would have been the case had *South* simply been allowed to publish the report. ■

Surviving to tell the tale

Star 29/12/93

ATTACKS on members of the media while carrying out their duties in trouble spots have increased dramatically during the past year, writes Peter Davies

243

This year will be remembered as one of living dangerously for South African journalists — attacks on them have increased dramatically

It's doubtful the media was targeted specifically; the nature of the job entails dash-ing to hot-spots on a daily basis. So while violence con-tinued to permeate all facets of South African life, attacks on journalists rose accordingly

Figures supplied by the South African Union of Journalists (SAUJ) show just how much hotter it has become for reporters in the trenches

In 1991, 13 journalists were prevented from performing their duties, harassed, at-tacked, threatened or shot. By September this year, 89 at-tacks on journalists had been recorded — 74 since Chris Han's assassination in April.

Journalists have been the victims of township stone-throwing, police tear-gassing

and right-wing manhandling.

In the worst incident, SABC journalists Calvin Thusago and Dudley Saunders were at-tacked by about 30 youths at Sharpeville on April 23. Thusa-go bled to death from his in-juries while Saunders was badly beaten

Beeld reporter Johan de Waal, accompanying police for a story on township violence, was shot in both legs by gun-men in Kattelhong in July

Says Ron Anderson, deputy editor-in-chief of The Star "It is regrettable that the satu-ration violence is making it more difficult for journalists to do their jobs. Many townships are no-go areas, not only be-cause we are journalists but because it is totally unsafe to

be there

"At the height of the unrest some years ago, when it was the township residents versus the police, we could get both sides of the story. Now, with

the mixture of criminal vio-lence and low-grade civil strife we are not prepared, in some situations, to send reporters and photographers into dan-gerous areas

"Several of our reporters and photographers have been lightly injured this year and one was hijacked and had his car stolen.

A number of organisations have now introduced measures

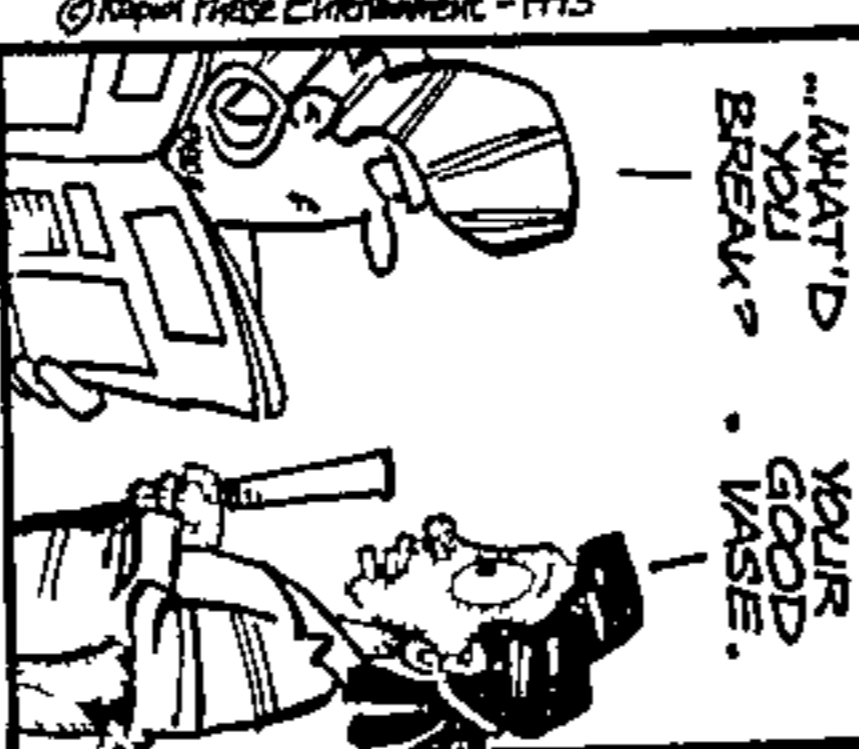
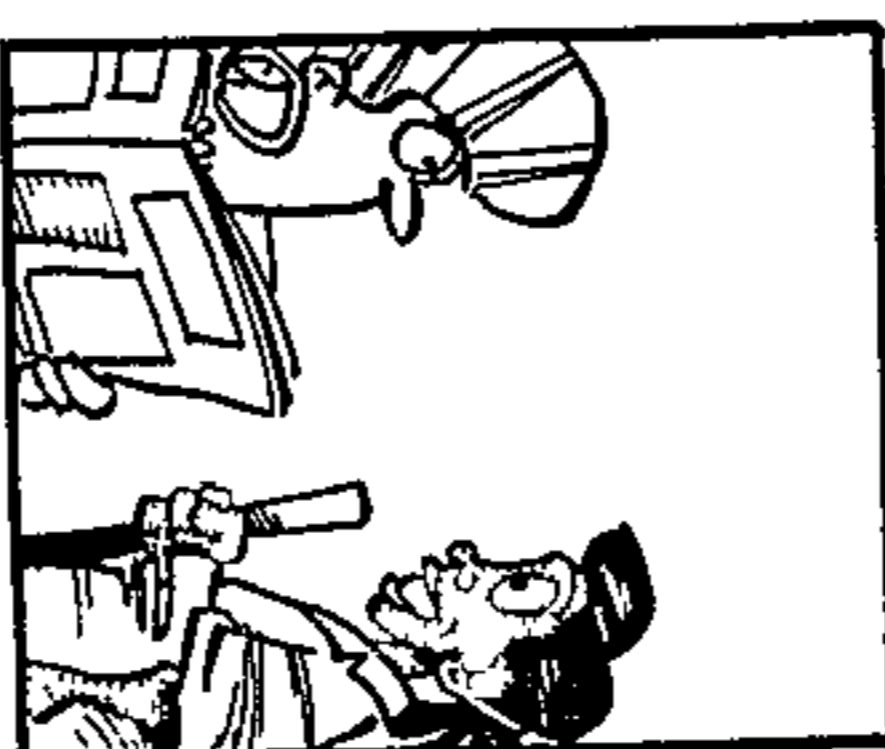
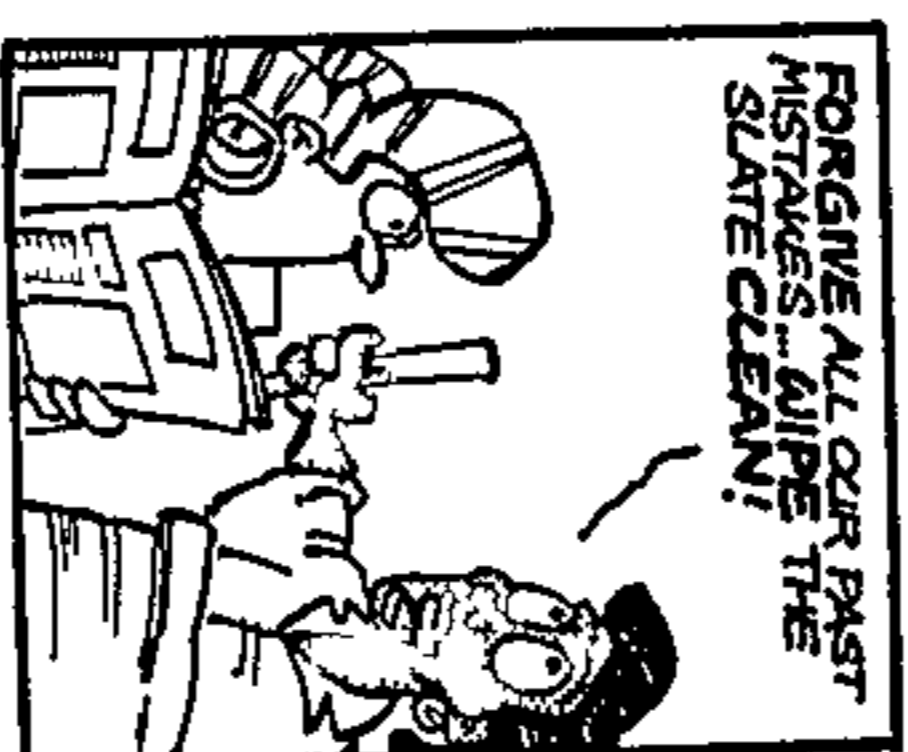
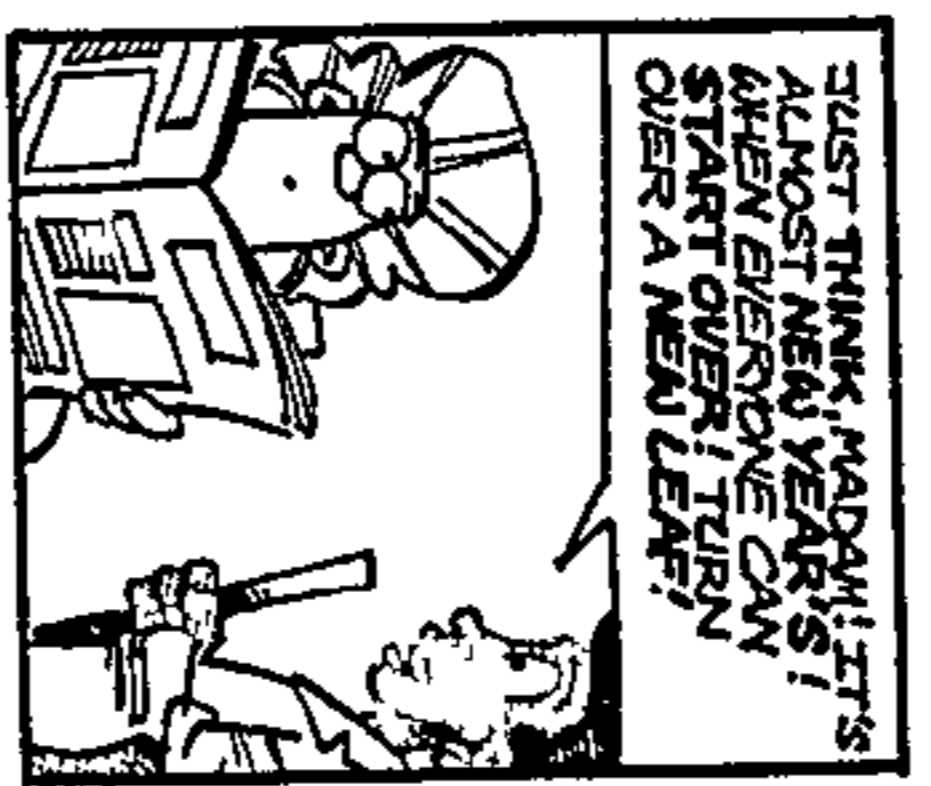
to help safeguard their staff

The Star issues flak-jackets to reporters travelling to known trouble areas. Cars have magnetic press identity stickers, some have two-way radios

The SAUJ has also issued a safety manual — *Surviving the Story* — to help journal-ists around the literal and fi-gurative minefields of covering a story in problem areas

MADAM & EVE

By S Francis, H Dugmore & Rico



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