

The Last Word

Good or bad journalism ... Let the public be the judge

Tertius Myburgh

Central to the communications business in our country at this time are the legal obstacles in the way of achieving the free communication that is essential if we are to resolve the conflicts in our society.

I could give you a boring inventory of the many statutes which are designed to nobble us, but all of us know what these laws and regulations contain and the manner in which they succeed in turning our professional lives into a daily obstacle course.

Just take the late Kelsey Stuart's book, all 400 pages of it, providing a scholarly discussion of the laws which make up the minefield in which we work.

Suffice to ask whether there is any other Western country where practitioners are required to work with such a large book constantly at their elbows?

It is our unique, and dubious distinction to have to rely on a vast volume which is actually entitled, a Newspaperman's Guide to the Law.

By contrast, our American colleagues, for example, need to refer to only one clause in the US constitution, the First Amendment, which declares with majestic, liberating simplicity: "Congress shall make no law ... abridging freedom of speech and the Press."

This is almost an exact mirror image of what happens in South Africa, where an ever widening field of legislation — from the Defence and Prisons Act to the Internal Security and Police Acts, as well, of course, as the Emergency Regulations — enables the Government to draw a curtain of secrecy around many of its actions and its officials.

Let me make two points.

The first is that much of law restricting the Press in South Africa is actually unnecessary,



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and is merely another manifestation of the horrendous degree to which this country is over-governed.

The second is that information, no matter how much a government strives to conceal facts by law or otherwise, will always get out: distorted, perhaps, even through rumour or gossip, perhaps — but all societies, even the Soviet Union, find the means, formal or informal, for disseminating information about themselves.

If we take the first point, we discover that restraints placed on the Press conflict markedly with the new and highly praiseworthy commit-

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ment of our rulers to the concept of a free market.

While the principles of free enterprise are being more and more widely applied in the society at large, an interventionist central authority still persists in limiting our right to trade freely in knowledge.

Why don't our rulers simply leave it to the public to decide what they want to or need to, know?

Why manipulate the market? The readers upon whom we depend for our livelihood will deal swiftly with newspapers or magazines that are consistently wrong, or that distort the news, or subvert the larger interests of society by publishing seditious material.

They will, quite simply, apply the reader's ultimate sanction — they will stop buying them.

During the Crimean War the British cavalry commander, Lord Lucan, objected to some of the reports being sent to the Times by the pioneer war correspondent, William Russell.

Russell is said to have retorted: "If you don't like my reporting what you are doing my Lord, then don't do it".

That a free Press throws up some severe problems, I am the last to deny.

But I believe we should place much greater trust in the public and let them judge the good journalism and the bad in a free market opinion.

Lies will always yield to the truth.

Which brings me to my second point, which is the ultimate impossibility of totally suppressing information.

The ordinary man requires information for the conduct of his life and he seeks that information assiduously.

Ideally, in a democracy, he should get that information from the mass media. If he does not, he turns elsewhere.

When information is suppressed, it goes underground.

Ultimately, governments cannot succeed in checking the dissemination of hostile political information or even disinformation.

If all else fails, political opponents can — and will resort to publishing fly-by-night pamphlets and ultimately, the solemn oath of silence and the secret network for the dissemination of counter-information.

At that point the distribution of information will have passed entirely out of the hands of the dominant establishment, and the government will itself be isolated and uninformed, becoming increasingly reliant on informers, courtiers or self-serving officials.

Consider the grave misjudgements made by Mr Ian Smith in Rhodesia because through censorship, he deprived himself and his colleagues of reliable feedback from the people.

The man who keeps his head in a crisis situation, is the one who has the most facts at his disposal, who knows what is going on around him.

And, usually, he knows because a free and independent commercial press has told him.

We must never forget that memorably sharp observation by William Randolph Hearst: News is what someone is trying to STOP you from printing — all the rest is ads.

In summary, the role of communications in the resolutions of conflict and the achievement of negotiation in our benighted land is, to my mind, dead simple.

For conflict to end and for negotiation to begin, the various parties need to know as much as possible about each other.

And to achieve that goal, communication must be free.