

Excerpt pp78-81 from:

Makers and Shapers of Media

The School of Journalism and Media Studies at 50

Mann (D.) & Tladi (T.) with De Vega (T.) & Garman (A.) eds.

Staging Post, Johannesburg, 2025 ISBN: 9781067266400

A meaningful contribution: JMS and the evolving imperatives of our times

Guy Berger

Picture Thabo Mbeki in 1995, then vice-president to Nelson Mandela, attending a fancy dinner held in St Aidan's deconsecrated chapel. A string quartet plays. Anglo American's Gavin Relly, serving as Rhodes Chancellor, proposes a 'loyal toast'. The guests raise their glasses. The talk is about the prospects for a new and open post-apartheid era.

It's just 10 months after the democratic elections. Mbeki has flown by jet to the town's grass airstrip. He is opening a major conference on 'Freedom of Information', organised by JMS's precursor, the department of journalism and media and studies. It's a time when the newly democratic South Africa is trying to turn the tables on a history of censorship and secrecy.

Rhodes has already been developing email in South Africa for five years, but most invitees are still reliant on fax machines. Meanwhile, traffic on the information highway is about to explode. In his speech, Mbeki supports modernising government information systems and opening up state affairs to public scrutiny. He sees this as a means to counter reactionary bureaucrats bequeathed by the apartheid apparatus – and as a way to empower the public.

Engaging in the conference are key South African and African editors, senior civil servants who are custodians of official information, and local and international experts. Journalism students are scurrying about to ensure that all is smooth sailing – and publishing three photo-copied editions of the conference newspaper called 'free-sheet'. The editors present are debating whether a freedom of information law might hamper, rather than help, the way they use informal channels to ferret out secrets.

Frene Ginwala, Speaker of the new parliament, calls for laws to be intelligible to ordinary people. Radio lecturer, and later *Carte Blanche* executive producer, George Mazarakis challenges the police to release tapes of an officer's racist remarks. Prominent Lebanese publisher Gebran Tueni urges dialogue in the process of developing a freedom of information law in South Africa. (He is assassinated 10 years later, for his criticism of Syria's role in Lebanon.)

Everyone is adamant that a new deal for the country must deliver transparency and disclosure as the norm. 'Top secret' should be the exception. There is a contagious excitement in the air.

A report of proceedings is produced. The conference papers will eventually be archived in Cory Library. The campus empties of the conference participants, but the cause rolls on. Momentum moves from 1995 through to 2001, when South Africa's parliament is finally passing what's called the Promotion of Access to Information Act (PAIA). This is a world-class law to guarantee rights to access information from the state – and also, in cases, from the private sector.

PAIA was the first freedom of information law in Africa, and the Rhodes conference served as a major milestone en route to its passage. Over the years since, many hidden stories have come to light with South Africa's journalists using the law to squeeze information out of officials who prefer to operate in darkness.

Using our freedom of information law, in 2011, the *Mail & Guardian* dug out dubious details about the contracts of the FIFA World Cup Organising Committee. A year later, the publishing house Arena, formerly known as Tiso Blackstar Group, Johnnic Communications, Avusa and the Times Media Group, obtained details about maladministration in the Nelson Mandela Metro. In 2019, the company secured access to information held by the controversial Steinhoff company.

In a quest to see if Jacob Zuma was tax compliant during his presidency, the *Financial Mail* and *AmaBhungane* in 2023 won a constitutional court judgment against total tax secrecy, effectively putting the South African Revenue Service under PAIA ambit where public interest can lead to disclosure.

Much other momentum, with the involvement of the Rhodes School of Journalism and Media Studies (JMS), has continued beyond PAIA. So it was that, in 2011, the school was a leading partner in the Pan African Conference on Access to Information, held in Cape Town. This was through the JMS's Highway Africa project. The initiative, started at Rhodes in 1997, and later driven by Chris Kabwato, buzzed for more than 23 years as the continent's biggest gathering of African journalists. For the Cape Town event, Highway Africa partnered with progressive African governments and civil society groups, including the Media Institute of Southern Africa and South Africa's powerful Right to Know movement.

At the time, then South African President Jacob Zuma was close to signing off the 'Spy Bill' – a law that in effect would have exempted the intelligence services from being subject to PAIA. The timing of the Cape Town conference was a strong factor in developing public opinion to the point that the draft law was sent back to parliament to have its worst parts excised.

Through further ripples, these events also fed into international progress beyond South Africa's borders. The wave continued rolling:

- It helped catalyse work towards a Model Law on Access to Information, adopted in 2013 by

- the African Commission on Human and Peoples' Rights (an organ of the African Union).
- UNESCO, and then the UN General Assembly, responded positively to the Cape Town conference demand for an International Day for Universal Access to Information (28 September each year).

In 2021, freedom of information resonated again, when UNESCO's 193 member states voted to support the 'Windhoek+ 30 Declaration on Information as a Public Good'. This Declaration extends access to information to addressing the need for transparency of internet platform companies. It calls for disclosures by Big Tech in order to shine a light on how the platforms (and their treatment of societal risks) affect our information ecology.

Today, and especially relevant for Artificial Intelligence, the challenge of freedom of information is expanding. It's increasingly seen as encompassing access not just to information but also to data – whether held by governments or Big Tech.

Getting such access is one thing, but how do you use data when you get it? Today, JMS is busy with this challenge by holding innovative winter schools. Led by Alet Schoon, these training sessions aim to build digital research skills for African media scholars. Akin to data journalists, researchers are increasingly recognising the value of getting and going into data if they are to generate knowledge and understanding.

In sum, an initiative that started at JMS in 1995 has added to, and kept pace with, 30 years of developments. Today, the number of African countries with freedom of information laws approaches 30, and the African Union has agreed on a data policy framework. The African Commission on Human and Peoples' Rights has passed resolution 620, saying that data must be open by default.

As the continuity keeps rolling, it's laying down a fine track record at Rhodes's meaningful contributions to the evolving imperatives of our times.