

DEFENDING THE FOURTH ESTATE

By Ms Phephelaphi Dube: Director, Centre for Constitutional Rights

The Centre for Constitutional Rights (CFCR) calls for the protection of journalists and other personnel in the media, in view of the ever-increasing documented attacks on journalists, including Ferial Haffajee and Peter Bruce. Suna Venter's death from natural causes, after sustained harassment, kidnapping and assaults is a grim reminder of the increasing vulnerability of practicing journalists in South Africa today.

"Sunlight is said to be the best of disinfectants", wrote Louis Brandeis in 1914 - but that statement holds true for all ages. The Constitution makes accountability, openness and transparency the nation's default values and the media in large part ensures that these default values remain as such. Freedom of expression too, is guaranteed in the Constitution, and it makes express allowance for freedom of the press and other media. As such, the unwarranted and unlawful attacks on journalists are a direct assault on the Constitution.

Enter too, the age of Fake News. While the phenomenon of false information being spread online is not new in South Africa, such false information has largely focused on celebrities, politicians and other individuals with high public profiles. However, recently social media accounts purporting to parody media houses, including Radio 702, the *Daily Maverick*, and *Huffington Post* have come to light. While parody and satire are intended to be humorous, these accounts are far from humorous. Instead, they appear to be a deliberate effort to spread misinformation and blatant lies regarding the allegations contained in the *State of Capture Report*. Their intended purpose is all too clear: to confuse the public and create greater distrust for the media. What is alarming though, is the invidious nature of fake news - aimed at shutting down independent voices, at a time when the media and the Judiciary are at the forefront of the fight against grand corruption.

The Fourth Estate has a vital role to play in upholding South Africa's constitutional democracy. But for investigative journalists - including amaBhungane and Scorpio - the nation would be none the wiser regarding the degree of State Capture. At a time when daily news reports reveal the breathtaking extent of State Capture, it is even more shocking that the National Prosecuting Authority is yet to announce any arrests regarding the lawbreaking.