

Media defence groups condemn Hefer ruling

Issued by [MISA](#)

16 Oct 2003

The South African National Editors' Forum (Sanef), the Freedom of Expression Institute (FXI) and the South Africa Chapter of the Media Institute of Southern Africa (MISA-SA) have expressed disappointment at Hefer Commission chairman Justice Joos Hefer's ruling that former Sunday Times reporter Ranjeni Munusamy would have to testify before the commission.

She was subpoenaed to give evidence to the commission about her story that the African National Congress (ANC) investigated National Director of Public Prosecutions Bulelani Ngcuka as an apartheid government spy. The judge's ignored a substantive argument from the three organizations this morning which argued that media freedom and journalists' lives would be in danger if they were forced to testify and identify their sources.

The group's submission spelled out how informants in the public and private sector who wanted to blow the whistle on crime, corruption and misdemeanor, but who did not want to report to the authorities, preferring the media, would refrain from doing so. This type of information, which generally requires journalists to maintain the confidentiality of their sources, would dry up if they were perceived to be informers of the police and the authorities. This would cut off essential information channels for the media.

The organisations were shocked that the judge had ignored an affidavit presented by Munusamy to the commission in which she claimed that her life had been threatened by some of her sources. Munusamy's lawyers are taking the judge's decision on review to the High Court. MISA-SA, FXI and Sanef who support that decision in principle, will meet to discuss methods of putting that support into practice. The decision is a serious blow to media freedom because it places journalists at risk and erodes media freedom.

This text is a joint statement of the South African National Editors Forum (Sanef), South Africa chapter of the Media Institute of Southern Africa (MISA-SA) and the Freedom of Expression Institute (FXI).

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