

**Understanding Editorial Independence and Public Accountability Issues in Public Broadcasting Service: A Study of the Editorial Policies at the South African Broadcasting Corporation (SABC)**

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## **Dedication**

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## List of Acronyms

ABC	African Broadcasting Corporation
ANC	African National Congress
BBC	British Broadcasting Corporation
BCCSA	Broadcasting Complaints Commission of South Africa
CBS	Commercial Broadcasting Service
CCV	Contemporary Community Values Television
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CIB	Campaign for Independent Broadcasting
COO	Chief Operations Officer
COSATU	Congress of South African Trade Unions
FXI	Freedom of Expression Institute
IBA	Independent Broadcasting Authority
ICASA	Independent Communication Authority of South Africa
LSM	Living Standards Measure
PBS	Public Broadcasting Service
MD	Managing Director
MISA	Media Institute of Southern Africa
MMP	Media Monitoring Programme
MRN	Media Review Network.
NAB	National Association of Broadcasters
NNTV	National Network Television
NP	National Party
RSG	Radio Sonder Grense
SABC	South African Broadcasting Corporation
SACP	South African Communist Party
SANEF	South African National Editors Forum
SATRA	South African Telecommunications Regulatory Authority
TSS	TopSport Surplus Sport

## **Abstract**

The concepts of editorial independence and public accountability are necessary in public broadcasting service as they help make a distinction between a public service broadcaster, a government and a commercial service broadcaster. This is because public service broadcasters are tasked with the responsibility of serving the interests of the general public. To do this, the above mentioned concepts have to be in place. This study examines these issues (editorial independence and public accountability) with reference to a case study of the editorial policies of the South African Broadcasting Corporation (SABC).

Using public broadcasting theory, policy theory and qualitative research methods, the study examines the genesis of these editorial policies in 2003/2004 and how they provide the SABC with a means of balancing the tensions of editorial independence and public accountability.

In analysing the SABC's editorial policies, the study deals only with those policies whose principles are directly related to editorial independence and public accountability. Although some of these policies are found to be in line with public broadcasting service trends, others are found lacking. Various recommendations are made.

The case study demonstrates the importance of an integrated and elaborated policy perspective in setting out how a public service broadcaster can manage editorial independence and public accountability. It also highlights the importance of using international 'role models' in ways that are appropriately adapted for the specific country concerned.

# **CHAPTER ONE**

## **INTRODUCTION**

### **1.0. Introduction**

This chapter deals with the general background to the study, the theoretical perspectives, objectives of the study, and the methods, procedures and techniques employed in researching the study. It provides the rationale for focusing on editorial independence and public accountability in public broadcasting service as distinct from other concepts such as universal service and access. This chapter also provides a thesis outline.

### **1.1. General Background**

This study provides an understanding of editorial independence and public accountability issues in Public Broadcasting Service (PBS) with particular reference to the editorial policies at the South African Broadcasting Corporation (SABC). This understanding is derived from an examination of the origins and process of adoption of the editorial policies that the SABC has adopted to fulfil and account for its responsibilities as a public service broadcaster.

It should be noted that several investigations consider PBS to be broadcasting commonly associated with benchmarks such as editorial independence, public accountability, universal service and access, programme diversity and pluralism so as to cater for all the needs of the public, and freedom from the financier and any form of meddling that endangers the norms of acceptable journalism standards (Mpofu, 1996; Mendel, 1998; Habermas, 1989; Opoku-Mensah, 1998).

The SABC as a public broadcaster takes editorial independence and public accountability as two of its core editorial values (SABC Editorial Policies, 2004). The other values are equality, nation building, diversity, human dignity, and transparency (2004:3). Other broadcasters might make use of all these values but editorial independence and public accountability are two of the tenets that distinguish a public broadcaster from a government broadcaster or a commercial service broadcaster. Although the two concepts maybe present in other forms of broadcasting, they are necessary in PBS as they help the

public service broadcaster to function as an independent overseer of government and powerful groupings, and to enlighten the public on matters of general public interest (Chikunkhuzeni, 1999; Mpofu, 1996; Dlamini, 2003; Tleane and Duncan, 2003; MISA, 1999).

There are tensions over how editorial independence and public accountability interconnect in PBS and these frictions are meant to be mediated by policy. Thus, editorial independence may mean that while editors take full control of content without reflecting partisan political or commercial interests, they still have to work within specific policies that guide them on realising their mandate (Berger, 1999).

A charter laid down in Chapter IV of the Broadcasting Act of South Africa (as amended) of 2002 mandates the SABC to encourage the development of South African expression through the provision of a wide range of programming that advances the national and public interest (SABC Editorial Policies, 2004: 2). In order to fulfil these obligations, the SABC is required to compile policies that will guide it in executing its public broadcasting mandate. In 2003, the SABC embarked on drafting these policies and putting them out for public comment. In early 2004, the SABC unveiled the final version and these new editorial policies became effective on April 1, 2004. These policies cover news editorial, programming, local content, education, universal service and access, language, and religious broadcasting. Implementing and accounting for these policies is supposed to be accomplished through regular professional development measures, and voluntary and mandatory upward referral mechanisms (SABC Editorial Policies, 2004).

The formulation of these editorial policies and their relation to editorial independence and public accountability issues is important given the historical context of the SABC. For decades, the SABC was controlled by the Afrikaner elites who ruled South Africa and it never reflected the cultural diversity and political pluralism of the country's society. Even where services that catered for a wide range of other racial and language groupings were introduced, they mainly served the propaganda interests of the National Party (Tleane and Duncan, 2003; Duncan, 2001; Hachten and Giffard, 1984). However, the inception of

democracy in the early 1990s led to the transformation of the SABC into a commercially financed public broadcaster in 1993, which meant that it was supposed to be accountable to the public and remain independent of business as well as government (2003:55).

## **1.2. Theoretical Perspectives**

As will be discussed in Chapter Two, this study is informed by a media policy development perspective, which entails the economic, political, social, cultural and technological issues considered in the formulation of a regulatory regime (Steyn, 1998). The policy formulation process is also influenced by its possible purposes and functions (Meenaghan and Kilty, 1994:68). Some policies, according to this approach, are put into place to reward some groups, to handle some unavoidable necessity, to make the society more stable, and to promote services for a broad range of people across a broad range of areas (1994:71). This helps to explain why the policy process involves a web of decisions (Ham and Hill, 1984:12). These insights can help in analysing the circumstances surrounding the origins of policy, attempting to discover what groups or coalitions initiate the process, and who is served by it (Horwitz, 1989:22). Such information can help to explain whether the SABC policy formulation process is a symbolic or substantive one.

## **1.3. Objectives of the Study**

The aim of this research was to study the origins and process of adoption of the editorial policies at the SABC with reference to editorial independence and public accountability issues facing public broadcasters. The study sought to examine the process the SABC undertook in formulating these policies and how they were intended in guiding it in fulfilling its broader public mandate. This study gives insight into how a public service broadcaster seeks to operationalise editorial independence and public accountability.

## **1.4. Methods, Procedures and Techniques of the Study.**

This study employs qualitative research methods in researching the origins and the entire process of adoption of the SABC editorial policies. Qualitative research is known for its substantial attention to detail in the research process (Bryman, 1988:63). The qualitative

research process conveys the notion of interconnection and change, meaning that research can be more concerned with the process of origins and implementation rather than solely its outputs (1988:65-66). Specifically, a case study as a research technique in documentary analysis will be used because of its suitability in attending to a wide spectrum of evidence such as documents and its particularistic abilities in studying practical real-life problems such as policy implementation at organisations (Wimmer and Dominick, 1991:150, Yin, 1984:13). This technique is also important as it provides the investigator with an opportunity of coming up with new perspectives, new meanings and fresh insights (Wimmer and Dominick 1991:150). The nature of the methods is influential in understanding the particular case (SABC) under study (Stake, 1995).

Document analysis offers reflections on significant theory propositions, which link critical insights into the public policy process (Yin, 1984:107). This is achieved through the explanation-building procedure of the case study approach. This strategy helps in explanatory data analysis since it offers new insights into the research process (1984).

Tending to documents, according to Wimmer and Dominick (1991), can be a source of data collection as documents represent a rich data source for contemporary media research. The SABC policy process yielded a lot of documentation from stakeholders such as the Freedom of Expression Institute, academic institutions and political parties among others. The other documents studied include the draft editorial policies and the final version of policies.

### **1.5. Thesis Outline**

This introductory chapter, **Introduction**, provides the general backdrop, the theoretical perspectives underpinning it, its objectives, and some details of research methods to be used.

The second chapter titled **Literature Review and Theoretical Framework** looks at the theory of PBS and sets the theoretical framework that informs the study of media policy. It deals with the characteristics of PBS as well as looking at the core editorial values. It

explicitly explores issues of editorial independence and public accountability as the main concepts that distinguish PBS from any other form of broadcasting.

The third chapter, **Research Methods and Procedures**, deals with the research methods and procedures used in this study. It spells out the goal of the research and then presents the qualitative tradition in researching the media. It explores the case study method which is fundamental in this thesis and gives justification as to why it has been considered suitable for a study of this nature.

Chapter Four is **Historical Context of the SABC and its Transformation into a Public Broadcaster**. It recalls the history of the SABC from the late 1920s to the present day. It shows the way the corporation was used as a propaganda machine by the then ruling Afrikaner elites and the significance the democratisation process had for the corporation in the early 1990s. This chapter also looks at the transformation of the SABC into a public service broadcaster.

**The SABC Editorial Policy Formulation Process** is Chapter Five and it reveals the process the SABC undertook in formulating its editorial policies by tracing the origins of the policy. It looks at the Broadcasting Amendment Bill of 2002 that paved the way for a new Broadcasting Act and the parliamentary debates that ensued during the process of amending the Act. It also looks at Section Six of the Broadcasting Act (as amended) which calls upon the SABC to develop policies to ensure that, as a public service broadcaster, it serves all sections of the general public. The draft editorial policies and the process that followed in ensuring that the public is consulted are also studied in this chapter. Lastly, it deals with the final editorial policies.

The sixth chapter, is titled **Analysis, Interpretations, and Discussions** and it analyses the final editorial policies of the SABC. It deals with those policies whose principles are directly related to issues of editorial independence and public accountability.

The last chapter is the seventh which is titled **Recommendations and Conclusions**. It makes recommendations in view of the study outcome.

### **1.6 Conclusion.**

This chapter has provided the rationale for the study, the literature and media policy theories, the goals of the study, and the methodological paths to be followed in this investigation. It also provided a thesis outline. The following chapter deals with the literature review and the theoretical framework.

## **CHAPTER TWO**

### **LITERATURE REVIEW AND THEORETICAL FRAMEWORK**

#### **2.0 Introduction**

This chapter reviews the literature underpinning the theory of Public Broadcasting Service (PBS), and sets the theoretical framework which informs the study of media policy. It explores the characteristics of PBS and the lack of consensus among scholars and policymakers in defining what PBS is. It also looks at the core editorial values in PBS. Specifically, it gives prominence to issues of editorial independence and public accountability—the two concepts that help in distinguishing a public service broadcaster from a government or commercial service broadcaster as will be discussed later in the chapter. However, these two concepts pull in different directions within PBS and these conflicts are fully discussed in section 2.3. Also in this chapter, policy is defined, and the basic elements in media policy are discussed. This is followed by the policy formulation process, which involves theories regarding the origins of policy, and its possible purposes and functions. The chapter also looks at the implementation process and the theories surrounding it regarding the factors that lead to its successes and those that limit it.

#### **2.1 Definition of Public Broadcasting Service**

There is no consensus on what PBS entails among scholars and policymakers and the role this form of broadcasting plays in a society not only differs from one country to another but is not static as well (Mpofu, 1996; Chikunkhuzeni, 1999). Several authors have come up with different definitions of PBS and most of them have tried to link this form of broadcasting to a system that is non-profit and non-commercial but primarily supported by public funds (McChesney, 2000; Dlamini, 2003; McQuail, 2000; Jjuuko, 2002). However, quite a few changes have taken place in PBS funding in countries like South Africa where the public service broadcaster, the South African Broadcasting Corporation (SABC), is now mainly funded by revenue accrued from advertising. These kinds of changes in PBS funding open up debates on what should characterise a public service broadcaster. Another factor prompting the debate is the democratisation of countries which operate a broadcasting monopoly in the form of a government-controlled

broadcaster, and where there is a need to change these into public utilities. The issue of PBS, as distinct from government broadcasting service, has been put on the agenda in Southern Africa, through this historical development. It is against such a background that Part II of the African Charter on Broadcasting of 2001 stresses the importance of transforming broadcasters which are still controlled by the state and government into genuine public service broadcasters. This is usually through ensuring that they are accountable to all strata of the people as represented by an independent board that serves the overall public interest, avoiding one-sided reporting and instead offering representative programming in regard to religion, political belief, culture, race, and gender. These boards, the charter stresses, must be protected against any form of interference, and editorial independence for these broadcasters must be guaranteed (Kupe, 2003:201-202). However, the issue again raises the question of the essential characteristics of PBS.

The essentials of PBS and other aspects as well are suggested in various studies as being broadcasting characterised by editorial independence, public accountability, universal service and access, programme diversity and pluralism so as to cater for all the needs of the public, and freedom from the paymaster and any form of interference that jeopardises the norms of media professionalism (Mpofu, 1996; Mendel, 1998; Habermas, 1989; Opoku-Mensah, 1998; Hills, 2003; Certimedia, 2003).

These issues of funding, democratisation and the essentials of PBS have led in many places to the initiation and formulation of laws that lay down the roles of newly restructured public service broadcasters in an attempt to make them become non-partisan and, therefore, editorially independent and accountable to the public. In South Africa, chapter four of the Broadcasting Act (as amended) of 2002 stipulates the 'ideal' roles of PBS as being to:

- Make services available to South Africans in all the official languages
- Reflect both the unity and diverse cultural and multilingual nature of South Africa and all of its cultures, realities and regions to audiences

- Provide significant news and public affairs programming which meets the highest standards of journalism, as well as fair and unbiased coverage, impartiality, balanced and independence from government, commercial and other interests
- Include significant amounts of educational programming, both curriculum based and informal educative topics from a wide range of social, political and economic issues, including, but not limited to, human rights, health, early childhood development, agriculture, culture, justice and commerce and contributing to a shared South Africa consciousness and identity
- Enrich the cultural heritage of South Africa by providing support for traditional and contemporary artistic expression
- Strive to offer a broad range of services targeting, particularly, children, women, the youth and the disabled
- Include programmes made by the corporation (SABC) as well as those commissioned from the independent sector and
- Include national sports programming as well as developmental and minority sports.

Among the concepts that underpin these roles are those of editorial independence and public accountability (as will be discussed in sections 2.2.1 and 2.2.2 below) which help in distinguishing a public service broadcaster from a government broadcaster or a commercial service broadcaster as they define the public service broadcaster to function as an independent watchdog of government and powerful groupings, and to inform the public on matters of general public interest (Chikunkhuzeni, 1999; Mpofu, 1996; Dlamini, 2003; Tleane and Duncan, 2003; Mbaine, 2003). The next section looks in more depth at how the concepts of editorial independence and public accountability serve as two core editorial values in PBS.

## **2.2 Core Editorial Values in PBS**

Regulatory bodies in individual states worldwide usually require PBS institutions, as a prerequisite for obtaining their broadcasting licences, to come up with their own core

editorial values that reflect the attitudes, opinions and ideals of the population they serve in order to fulfil their public mandates. These values may also include editorial independence, public accountability, equality, nation building, and diversity among others. However, two values that are commonly shared by public service broadcasters internationally are editorial independence and public accountability (Tleane and Duncan, 2003). The SABC is no exception to this and it regards these two concepts as amongst its core editorial values (SABC Editorial Policies, 2004). (The other core editorial values of the SABC will be discussed in Chapter Four).

### **2.2.1 Editorial Independence**

Public service broadcasters are expected to be institutions that conduct their affairs independently. Independence may mean the freedom to make decisions without needing help from other forces (Hornby, 2000). However, the sense more commonly applied to PBS is where independence may also mean being autonomous, the ability to act and make decisions without being controlled by anyone else. In PBS, this means that programming and related decisions should be free from any form of interference that limits them from fulfilling their public mandates (Dlamini, 2003; Warren, 1998). Mpofo (1996) argues that public service broadcasters have attracted interference because broadcasting channels such as television are perceived as agenda setters for political debate and as having influence on the public profile of political parties and commercial interests. The implications of such a situation warrants public service broadcasters the necessity of compiling policies to safeguard their independence and to ensure that no undue political, commercial, and other self-serving group pressure is brought to bear on programme scheduling and commissioning practices or editorial and news content (1996:14).

Editorial independence provides ‘another layer of insulation’ from any potential form of influence while preserving the general oversight functions of the public service broadcaster (Mendel, 1998:10). It can be analysed at four different levels.

First, it protects the right of staff to make day-to-day decisions regarding editorial matters. Barker (2000) argues that editorial independence provides the right to journalists and editors to make decisions on the basis of professional criteria such as newsworthiness of an event or its relevance to the public's right to know, and in accordance with the codes of ethics of journalism. It is in this interpretation primarily independence from the biases and values of owners where such may be contrary to the norms of free and fair journalism.

Second, editorial independence is the independence of editorial as a whole from the exclusively economic imperatives of a media institution, and in particular from those staffers responsible not for the integrity of editorial content, but for generating revenues for the business.

Third, the notion can also be assessed in regards to the extent to which reporters have a degree of independence of their editors. This relates to the professional autonomy and responsibility of each rank-and-file journalist.

A fourth level is the contention regarding the independence of journalists from their sources (Berger, 1997).

These complexities help to explain why journalists do not operate in a vacuum as far as editorial independence is concerned. Their independence is framed in terms of the broad practices of the profession. (As will be discussed below, such independence is also balanced in terms of specific policy guidelines as appropriate to given media institutions).

However, underpinning these levels of editorial independence is institutional independence from the power centres of government and business sector. This status must be also guaranteed to the regulatory bodies that oversee the activities of the public service broadcasters. The Access to the Airwaves Principles as developed by Article 19 accentuate that all public bodies which exercise powers in the areas of broadcast regulation, including those that receive complaints from the public, should be protected

against interference, particularly of a political or commercial nature. Their legal status should be clearly defined in law and their institutional autonomy and independence should be guaranteed and protected by law. This can be done through legislation which establishes the body and, if possible, also by being inscribed in a country's constitution (Kupe, 2003:186).

### **2.2.2 Public Accountability**

Public service broadcasters are expected to account to the public and yet remain independent. These tensions have led to contestations in PBS. For example, how will a public service broadcaster play a nation-building role and yet remain independent from other forces such as government who are often assumed to carry out the same function and have their own interpretation of it? Is it not justifiable, therefore, that a public broadcaster should account to the government because after all, in a democracy, an elected government is supposed to represent the will of the people? These questions inform the discussion below.

Public service broadcasters are tasked with serving the public interest rather than governmental interests or private self-service interests (Tleane and Duncan, 2003). To realise this, the public service broadcaster, as explained in 2.2.1 (above) needs to be independent from all forms of interference and yet also expected to account on a regular basis on how it realises its public mandate (2003:73). To be accountable is to be responsible for your own decisions or actions and to meet expectations to explain them when you are asked (Hornby, 2000).

The notion of public accountability endows public service broadcasters with a role to play in ensuring that the interests of the general public are fulfilled (Mendel, 1998:10). What makes PBS different from other forms of broadcasting is the fact that the public service broadcaster, unlike the government or commercial service broadcaster, only accounts to the public. Government broadcasters are centrally controlled and promote the values and opinions of those in power and generally account to the executive arm of government, usually the minister of information or communication (MISA in Tleane and

Duncan, 2003; Kupe, 2003). In most cases, this arrangement compromises the editorial independence of these broadcasters.

Being free of government controls, however, does not specify what public accountability entails, and how this frames and constrains the activities of a public service broadcaster. Independence means accountability in relation to professional journalism norms and ethical standards in the first instance, and to specific editorial policy guidelines in the second. This accountability is not the same (despite an overlap) as the one to the public within a public service broadcaster which puts different demands than would be the case with ethical accountability in a commercial media setting.

There are several ways a public service broadcaster can demonstrate its accountability to the public. The first is through a public board of governance. As Tleane and Duncan (2003) observe, public service broadcasters usually account to the public through board members, who should represent the broad spectrum of public opinion since they are appointed through a public process for the offices. The board members account to the public, rather than the government, through the representatives of parliament. In South Africa, this is one of the ways by which the SABC accounts to the public. (See Chapter Four).

The second is accounting through industry complaints bodies. In the case of South Africa, the SABC is a member of the National Association of Broadcasters (NAB), which established a voluntary, statutorily recognised and independent (of government) complaints body called the Broadcasting Complaints Commission of South Africa (BCCSA). The BCCSA consists of seven members who represent viewers and listeners, drawn from nominations received by the NAB after placing adverts in the electronic media. The BCCSA also consists of another seven members drawn from the electronic media industry as proposed by NAB.

The third mechanism is through the regulator. The Access to the Airwaves principles as developed by Article 19 emphasise that “regulatory bodies [of public service

broadcasters] should be formally accountable to the public through a multi-party body, such as the legislature or a committee thereof, rather than a minister or other partisan individual or body. Regulatory bodies should be required by law to produce a detailed annual report on their activities and budgets, including audited accounts. This annual report should be published and widely disseminated” (Kupe, 2003:189). In other words, the public accountability of the public broadcaster should also be indirectly evident through the accounting of the broadcast regulators which are supposed in turn to hold their licensees, including public broadcasters, accountable. In South Africa, the regulator, ICASA also has a complaints body called the Broadcasting Monitoring and Complaints Committee, which adjudicates complaints and institutes investigations into contraventions by broadcasters. This committee is used mainly by broadcasters who are not members of NAB, and for complaints that do not fall within BCCSA’s jurisdiction (Tleane and Duncan, 2003).

Lastly, there are other measures of accounting to the public, which may include advisory councils (see section 2.2.3 below) and public meetings (Tleane and Duncan, 2003:73). Public meetings are conducted to enable the board and/or PBS staffers to receive comments and views from the general public regarding the programmes of the public service broadcaster.

There is also a need to give substance, parameters and criteria to such accountability mechanisms by the development of detailed criteria for determining whether the public service broadcasters have met their mandates or not. This is relevant at all levels of accountability, and it would usually include the formulation of editorial policies and codes of practice or conduct. It is against this backdrop that the SABC put together its editorial policies in 2003, which became effective on April 1, 2004.

### **2.2.3 International Public Accountability Models: The Case of the BBC**

Since most public service broadcasters share the characteristic of public accountability, it is of value to look at how the British Broadcasting Corporation (BBC) accounts to the

public given that it is one of the broadcasters with which the concept of PBS is most associated.

The BBC was established in 1926 to serve the general public interest and the corporation's obligations and constitution are guided by the Royal Charter (Tleane and Duncan, 2003). The charter requires the BBC to make a Statement of Promises to Viewers and Listeners, which sets out in detail its commitment to its audiences (Tleane and Duncan, 2003:75). Additionally, the BBC is expected to consult National Broadcasting Councils about services in Scotland, Wales, and Northern Ireland. The corporation is required to give due consideration to the councils' views and ensure that comments and complaints by viewers and listeners of the licence fee-funded services are properly considered. These councils are supposed to keep in touch with public opinion and offer advice to BBC governors on the extent to which those objectives are met (BBC Royal Charter and Agreement, 1996-2006).

There are also regional advisory councils whose functions are similar to those of the national councils. The national councils are entrusted with responsibilities of ensuring that the views of audiences are given due consideration. Representatives on the national councils are drawn from different representative bodies. Meanwhile, members on regional councils are appointed with a view of ensuring a broad representation of the public, and to channel public opinion in relation to BBC representation of these regions (Tleane and Duncan, 2003). This representation is drawn because the board of the BBC is not publicly nominated into office. Tleane and Duncan further explain:

These outlets for public opinion were set up mainly because the board of governors is not selected through a public nomination and selection process. Members are appointed directly by the government; a fact that has been heavily criticised for being out of step with current thinking around accountability (2003:76).

This criticism has ensued because the BBC does not properly account to the public but to the government and the state. This stems from the fact that any government secretary and/or minister may request the corporation to broadcast any announcement, and also in

the event of an emergency, announce or refrain from announcing that it is carried at the request of the secretary or minister (Tleane and Duncan, 2003). The secretary of state can also require the corporation to refrain from transmitting particular forms of material at particular or at all times. The same secretary can even direct that any station of the BBC be taken possession of in the name of Her Majesty the Queen where, in his or her (secretary of state) opinion, an emergency exists which renders this in the public interest (2003:77). The potential for this nature of interference could make it very difficult to account to the public during crises.

The corporation has compiled editorial policies to guide it in executing its day-to-day editorial duties. These policies are regularly reviewed to see to it that they are appropriate in current situations. This was the case after Lord Hutton's Commission of Inquiry report described them as defective (Hutton, 2004). (The Hutton inquiry was set up after BBC defence correspondent Andrew Gilligan reported that the British government had "sexed up" its dossier on weapons of mass destruction in its justification to invade Iraq in 2003).

Although the BBC may be often treated as the epitome of PBS, it has questionable features concerning the editorial independence and public accountability issues as discussed above.

### **2.3 Tensions in Editorial Independence and Public Accountability**

Editorial independence is an imperative that pulls a public service broadcaster away from specified external interests such as commercial and governmental institutions. Public accountability pushes in the reverse direction towards the externalities that are aggregated into the general interests of the public. These tensions over how editorial independence and public accountability interrelate in PBS are supposed to be mediated by adherence to general professional standards and to specific PBS editorial policy guidelines. Although editorial independence may mean that editors take full control of content without conceding influence to political or commercial interests, these editors usually still have to work within specific policies that guide them on fulfilling their mandates (Berger, 1999). This means that editors have free reign but only within a policy framework that puts

public interest above the rest (Berger, 2003). It is the content and parameters of such policy, and its formulation and its implementation that is central to how this issue is managed.

#### **2.4 Towards a Working Definition of Policy**

Policy may mean a plan or course of action, as of government, political party, business, or any other organisation, intended to influence and determine decisions, actions and other matters (Hornby, 2000). Policy can as well be defined as “a public statement to the effect that something ‘ought to’ occur, and if it does, that it can be rational and instrumental in addressing some condition(s) in a society” (Meenaghan and Kilty, 1994:61). The rationality of policy can be seen, for instance, in the way it guides professionals in their present actions, and in the use and distribution of the country’s resources.

In defining policy, there is a need to recognise that what it does varies according to diverse paradigms. The paradigms to be employed here are functionalism, liberal pluralism, policy as power of the dominant, radical democracy, and policy as chaos (Berger, 2004a). These paradigms clarify how power relates to policy as they explain its rationale, what is it about, who makes it and for whom, when is it made, how is it made and how is it applied (Berger, 2004a).

The functionalist approach looks at the benefit to the whole entity when policy is made. Thus internal policies for individual public service broadcasters are usually designed to incorporate an aspect of benefiting all audiences through the provision of programmes and editorial content that cater for their needs. While formulating policy for public service broadcasters, there is also a need to see to it that both the interests of the country as a whole, as well as of those of specific and minority groups, are addressed when programming decisions are being made so that the public broadcaster is thus considered in terms of the whole, as well as having an independence from the majority through being accountable to the diverse character of the public. Within this approach, policy is seen as integrative and therefore answers questions of what the point is of policy, and why. In

this approach, policy creates a fair and predictable set of norms so as to avoid or pre-empt problems in the society or to prioritise and allocate resources (Berger, 2004a). To do this, policy must be clear and unambiguous.

Liberal pluralism is another paradigm that helps in understanding policy. This approach looks at policy as politically contested. In other words, policy is considered to be shaped by, and to benefit, the elite—the active stakeholders. In practice, when policy is being formulated for public service broadcasters, it is often the government, dominant political parties, business groupings, and civil society groups that participate and stand to benefit most. They are active in the sense that they have the resources at their disposal to challenge the policy makers on matters of interest. The views of these groupings are in the interests of the publics they represent, which is not the same as the functionalist ideal that when policy is made, all sectors of the country's population are supposed to be catered for. Such functionalist policy would include provisions that allow a public service broadcaster to be independent of the elite and accountable to the public more broadly. In the South African case, the active stakeholders feeding into broadcast policy have included the African National Congress (ANC), the South African Communist Party (SACP), Freedom of Expression Institute (FXI), South African National Editors Forum (SANEF), Media Institute of Southern Africa (MISA), and Article 19 among others. While these often claim to speak on behalf of the masses, and may indeed do so on occasion, their organised participation is still not the same as securing the direct involvement of 'grassroots' people in the process.

Policy as power of the dominant is a third paradigm that can be used in understanding policy. This paradigm highlights the authoritative top-down character of policy (Berger, 2004a). The dominant have the power to define issues and processes to adopt policy, and to enforce implementation or not. The dominant grouping often stands to benefit more than others when policy is made. For instance, when issues of languages are being considered in PBS, the biggest languages take the lion's share. The paradigm also highlights how the concepts of editorial independence and public accountability in PBS might be compromised when editorial content is tailored for the dominant thereby

excluding others, including both general and specific interests. Power is also critical in terms of independence from government and commerce, and policy should be assessed from this point of view as well. Internally, power is a factor in terms of the hierarchy of a public service broadcaster—ranging from managers to editors and to journalists. The paradigm also points to responsibility as the other side of the power coin. In other words, the power approach looks at who wields the most responsibility in the policy development and implementation processes. In PBS, this is usually the board as it is mandated to initiate, formulate (sometimes with the help of the general public through consultations), and ensure implementation and revision of the policies.

A radical democracy paradigm sensitises analysis to look at whether policy is participatory and/or empowering (Berger, 2004a). In formulating and implementing policy, there are issues regarding the influence of grassroots forces. The interests of grassroots stakeholders — including staff members — may be considered when policy is being formulated, and may also even be directly solicited. This calls for the involvement of audiences in PBS policy matters since, as television licence payers and receivers of programming, they have a stake in the public service broadcaster.

Lastly, policy can be seen as ad hoc where it deals with issues as they arise. This is a case-by-case patchy situation (Berger, 2004a). This paradigm is of value in analysing PBS inasmuch as it highlights dimensions of policy formulation and implementation that are a far cry from the logics of the paradigms discussed above. The chaos paradigm highlights how erratic and poorly planned processes could undermine editorial independence and public accountability in PBS. At the same time the paradigm can also draw attention to some flexibility to the public service broadcaster when fulfilling its independence and public accountability obligations. As society progresses, new challenges arise which were not foreseeable at the time policy was being formulated.

#### **2.4.1 Media Policy Development Perspective**

There is little consensus on what constitute the best approaches to media policy development since guidelines are generally fragmented, ineffective and differ from one

country to another (Steyn, 1998). However, there are some elements which are considered universal in formulating media policy. These elements can be identified as norms, principles and guidelines established either legally or through historical understanding to guide the behaviour (formation, distribution and control) of communication systems within a society (1998:448). In PBS, these elements should be functionalist in nature if the whole society stands a chance to benefit when policy is finally made. Generally, these elements are informed by the economic, political, social, cultural and technological issues considered in the formulation of a media regulatory regime. However, for reasons of relevance and space, the social, cultural and technological aspects are excluded from this study.

Economic issues are considered in the media policy development process as they directly impact on the media's structure and activities. In the case of South Africa, the national public service broadcaster, the SABC is largely funded through advertising with additional revenue from television licences and government grants. There is need, therefore, to ensure that the power of dominant business entities in influencing the outcome of policy is eliminated and instead adopt a functionalist approach that would underscore the need to serve all.

As the power paradigm would highlight, political issues in the media policy development process are also important. This is because political changes often necessitate innovative and radical rethinking of the media's position (Steyn, 1998). The inception of democracy in South Africa in the early 1990s raised questions relating to press censorship, freedom of speech and the overall free flow of information in the South African society (1998:456). This is mainly due to the fact that the South African media were prominently considered to be agencies that served, supported and strengthened the ideals of the apartheid state (Hachten and Giffard, 1984; Duncan, 2001; Tleane and Duncan, 2003; Steyn, 1998). The old SABC (pre-February 1990) was not independent of government as it was accountable to the Broederbond (as will be discussed in Chapter Four) while the new SABC (post-February 1990) is supposed to be considered independent of government as it is supposed to account to the public. Political control of the public

broadcaster can be avoided through formulation of policies that are functionalist in nature and therefore capable of serving all sections of the entire society rather than a few elites. Cognisance should, however, be taken of the contested interests in policy, and of whether grassroots input is incorporated. The power paradigm also points towards the issue of where final decision-making and responsibility should lie.

While analysing the policy development perspective, there is a need to look at how policies are initiated since there is usually a deliberate plan to ensure that a certain industry is guided. Horwitz (1989) argues that the origins of policy are wedded to the historical circumstances surrounding the state of the (media) industry. However, there are different sources of policy and policies can be formulated in a variety of ways. Meenaghan and Kilty (1994) and Hills (2003) observe that any and all units of government, namely the legislature, executive and judiciary, can generate public policy. They further observe:

All three units of government make policy. Whereas legislation is the most obvious attempt to make public policy, and whereas court decisions are often dramatic and significant, much policy is administrative in origin (1994:64).

Apart from government, there are, as highlighted by a liberal pluralist paradigm, usually several other interest groups that are involved in the initiation and formulation of policy (Lindblom, 1980; Meenaghan and Kilty, 1994; Ham and Hill, 1984). These segments of the society pursue special interest-group activity as their principal method of influence on policy, which could be done through public responses as the case is for this study. These groups could be national, regional, state, local and neighbourhood or international organisations (Lindblom, 1980). When policy is made, these groups stand a far better chance of benefiting, as their interests are usually included in the final policy. This helps to explain how policy can be politically contested. In the SABC editorial policy formulation processes, such groups included the SACP, ANC, SANEF, MISA, FXI and academic institutions among others. At times such interest groups form coalitions to advance their causes (see Horwitz, 2001 on the role of Group of Thirteen during the Triple Inquiry). Meenaghan and Kilty (1994) further explain:

When one interest group is counterbalanced by a contending interest group, there is the politically compelling reason to enter into coalitions with still other interest groups, so that the leverage of combined forces swings the balance for the decision-maker toward seeing that his or her interests are best served by moving in the direction of the stronger coalition. The strong coalition, however, rarely is limited to one policy proposal. Rather, each special-interest group is likely to use the coalition strategy to promote its discrete interests and issues (1994:66).

The groups can also include international bodies and companies, as well as international role models. PBS corporations such as the BBC, the Australian Broadcasting Corporation and Canadian Broadcasting Corporation among others exercise their influence in the way policy for public service broadcasters in other countries is defined, a characteristic of the power paradigm. (See Chapter Five on how South Africa's broadcast policy was represented in terms of these international role models).

Articulation of interests, attempts to influence decision-makers in light of those interests, coalition building to maximise leverage, and clarifying and articulating what citizens want are some of the specific features of special-interest groups in the policy-making process (Meenaghan and Kilty, 1994; Lindblom, 1980). In the end, many of such special-interest groupings stand to benefit more, a characteristic highlighted by the liberal pluralism paradigm. The power paradigm goes further to look at which very specific interests amongst the liberal pluralism competition, come out as decisive.

The cultures and traditions of a given society also explain the origins of policy. The history of broadcasting in South Africa is embedded in politics of apartheid (as will be discussed in Chapter Four), which explains the enthusiasm shown by grassroots organisations in lobbying for a pluralistic and progressive broadcast system during the Triple Inquiry (Horwitz, 2001).

#### **2.4.2 Purposes and Functions of Policy**

There is a wide range of possible purposes and functions of media policy. First, policy could be formulated in order to reward a certain group in society. In political policy, for example, the elderly may receive special consideration when policy is being formulated. In the PBS policy formulation process, there is supposed to always be special consideration for minority and marginalised groups. The SABC editorial policies, for example, recognise the disabled and those living with HIV/AIDS as marginalised groups and therefore that programming must cater also for their interests (SABC Editorial Policies, 2004). Such policy is considered functionalistic, tailored to ensure that everybody benefits when policy is implemented. Behind most policy that rewards valued interest groups is a 'payback' possibility. This explains the constant use of the term 'entitlement' when highlighting the benefits directed to the members of the rewarded group (Meenaghan and Kilty, 1994: 69).

Second, there are unforeseeable issues that arise in societies and in some cases such issues lead to conflicts. There is a need for the creation of policies that would handle these unavoidable necessities (Meenaghan and Kilty, 1994). Such conflicts may arise when new journalism genres are being introduced at the broadcaster. These might include motoring and travel journalism which are assumed to be impracticable without assistance from the relevant industry. The public service broadcaster has to be guided in such situations so that it serves the whole society without discarding its editorial independence and public accountability obligations.

Third, a possible purpose and function of policy is the creation of stability within the media industry. For example, for the broadcasting industry to be stable, there is a need for policies that define the differences in roles to be played by Commercial Broadcasting Service (CBS) and PBS. As noted earlier, currently PBS is in a state of flux as public service broadcasters are experiencing new challenges arising especially from issues regarding financing, technological, and political changes (Chikunhuzeni, 1999; Baker, 1996; Mpofu, 1996; Opoku-Mensah, 1998; Watson and Hill, 2000). Among the instabilities which could be addressed by the stabiliser purpose and function of policy, are the issues of a transfer of power from public to private media, from normative to

commercial objectives, from political to CBS systems, from national to transnational operators, and from administrators to advertisers (Blumler, 1993). To this can be added in many cases the transformation from government to public broadcaster status.

An example of the stability purpose of policy relates to SABC's funding model. The SABC accrues most of its revenue from advertising yet it is supposed to be independent of its advertisers. There is a need therefore, for such a policy to help solve the instabilities that might arise from the relationship the corporation shares with its advertisers and its distinctiveness even while competing for the same ads as other sectors. Such a policy would help in making sure that the public broadcaster remains independent of its advertisers and accounts to the public.

There is also a need for policy that eliminates the dangers of political instability that comes from too much independence and too little accountability. Too much independence might, for example, lead to the erosion of programming for minority interest groupings thus making the public broadcaster less accountable to the public as it eventually fails to realise its public mandate. However, this does not call for measures of political control of the broadcaster but rather for check and balance policies to ensure that editorial independence and public accountability obligations are fulfilled.

### **2.4.3 Policy Implementation, its Successes and Limitations**

After formulating and designing policy, there is a need to implement it. This is where policy can be regarded as a success or a failure or a mix of the two. What also needs to be taken into account is that a particular outcome, for example, less independence from government, may be ambiguous. It could be a failure for independence and a success for accountability. The question of for whom an outcome serves as success or failure is also important. The implementation process could be described as a procedure of interaction between the setting of goals and actions geared to achieve them (Younis and Davidson, 1990:5). The success of implementation, therefore, depends on the attempts made to integrate it with policy objectives.

There are several approaches to how policy can be successfully implemented and each case might employ all or some of them. Scholars such as Hood (1976) argue that the best way to implement policy is through the 'perfect administration' approach. Hood's model emphasises that the administrative system must be unitary (like a country's defence forces with a single line of authority) with perfect obedience, perfect communication, and perfect co-ordination between the administrative units (1976:6-7).

Mountjoy and O'Toole (1979) identify two factors as the most effective in implementing policy namely: the provision of resources and the specificity of instruction (in Younis and Davidson, 1990). Their theory is based on the argument that "breaking from established routines is an expensive undertaking and that agencies should be provided with the resources to do so. It is important that at the same time, the agency is given specific instruction as to what new routines should be" (1990:7).

However, there is need to expand the above-mentioned approaches so that policy can be easily implemented in large organisations such as the SABC. Gunn (1980) offers ten broad practical preconditions on the best ways of implementing policy in an organisation that, for the purposes of this thesis, could be as large as the SABC (see Chapter Four).

The ten points are as follows:

- That circumstances external to the implementing agency do not impose crippling restraints.
- That adequate time and resources are made available to the programme.
- That not only are there no constraints in terms of overall resources, but also that, at each stage in the implementation process, the required combination of resources is available.
- That the policy to be implemented is based upon a valid theory of cause and effect.
- That the relationship between cause and effect is direct and that there are few, if any, intervening links.

- That there is a single implementing agency which need not depend upon other agencies for success or, if other agencies must be involved, that the dependency relationships are minimal in number and importance.
  - That there is a complete understanding of, and agreement upon, the objectives to be achieved, and that these conditions persist throughout the implementation process.
  - That in moving towards agreed objectives it is possible to specify in complete detail and perfect sequence, the tasks to be performed by each participant.
  - That there is perfect communication among, and co-ordination of, the various elements or agencies involved in the programme.
  - That those in authority can demand and obtain perfect obedience.
- (Gunn, 1980:5).

The implications of Gunn's points are summarised by Ham and Hill (1984) as the unambiguous nature of policy, the prevention of outside interference, keeping the links of the implementation structure to the minimum, and the ability to take control over the implementing actors (1984:99). However, it should be noted that what these points constitute is an ideal type, especially with its stress on the "perfect," and that they fall within a functionalist perspective. The schema therefore overlooks realities of politics, and power and chaos approaches and has to be measured against them. Taking these additional aspects into account enables one to assess a policy as to how adequately it addresses the implementation points proposed by Gunn, bearing in mind the dynamics that are highlighted by other policy paradigms.

From the above theories, one can argue that failure to implement policy might occur because an inappropriate implementation strategy was chosen, or that within an appropriate strategy an inappropriate implementation agency was selected (Dunsire, 1990). However, policy and its implementation is always limited because in many cases decision-makers do not search diligently for the 'best' way of doing anything: they often act from force of habit, or follow the line of least resistance, or settle for the first

satisfactory solution that occurs to them (1990:17-18). Power, politics and chaos can impact strongly on implementation.

There is an additional argument that the success or failure of policy implementation may depend on the flawlessness, or not, of the original policy. This is based on the functionalist assumption that policy decisions are automatically carried through the implementation system as intended and with the desired end results (Younis and Davidson, 1990). However, to the extent that there is indeed a relationship between policy and practice, this insight leads to a focus on the means of improving the quality of decision-making and providing prescriptive models with regard to the implementation process, whereby the probability of success is thought to be greatly enhanced (1990:4). The point is that if a public broadcaster is to realise the concepts of editorial independence and public accountability, it needs to devise a detailed approach to carry out the implementation of its policies.

As will be discussed later, in case of the SABC, implementing and accounting for these policies is supposed to be realised through regular professional development measures, and voluntary and mandatory upward referral mechanisms (SABC Editorial Policies, 2004). The process of upward referral could be extended as far as the Group CEO (who also serves as the Editor-in-Chief) to whom the board delegates responsibility and holds accountable for the implementation of these policies.

#### **2.4.4 Values, Policies and Codes**

Policy theory should recognise the difference between values, policies and codes. Values are beliefs of what is right and wrong and what is important in executing certain duties, such as serving the whole society by a public service broadcaster, and these should inform policy. Codes are a system of laws or written rules that state how people in an institution should behave and these should be informed by policy (Hornby, 2000). Although values, codes, and policies are different, they are all interrelated in the case of the SABC. The corporation's values and codes relate to the corporation's public mandate, and are articulated to the editorial policies. In this study therefore, the purposes of these

values are assessed as to how they ensure that the public service broadcaster remains both editorially independent and capable of accounting to the general public.

## **2.5 Conclusion**

This chapter has discussed the definitions and main characteristics of PBS and two core editorial values of public service broadcasters, namely editorial independence and public accountability. These values are essential for public service broadcasters if they are to fulfil their public mandates. It also highlighted the tensions experienced by public service broadcasters in their attempts to fulfil their mandates. The chapter defined policy and discussed theoretical perspectives which are useful in the analysis of the development of media policy. It went on to discuss the origins of policy, its possible purposes and functions. Policy implementation and factors as to why it succeeds or fails were also discussed. The next chapter focuses on the research methods and procedures employed in this study.

# **CHAPTER THREE**

## **REAEARCH METHODS AND PROCEDURES**

### **3.0 Introduction**

This chapter presents the research methods and procedures used in this study. It spells out clearly the goal of the research and then presents the qualitative tradition in researching the media. This is because the qualitative strand is well known for its particularistic attention to detail in the research approach. The case study method follows in this chapter and justification is given as to why it has been considered suitable for the study of this nature. Document analysis is the next subsection to be discussed in this chapter. Since the public were involved in the formulating policy at the SABC, several stakeholders in the industry came up with submission when the draft editorial policies were put out for comment by the board. This meant that large volumes of data were produced and this is one of the several reasons given in justifying the use of document analysis in this chapter.

### **3.1 Goal of Research**

The goal of this research is to study the origins and process of adoption of the editorial policies at the SABC in the context of editorial independence and public accountability issues facing public service broadcasters. This is done through analysing the editorial policies the SABC has formulated in order to fulfil its public mandate. The SABC, as a public service broadcaster, is required, in terms of section 6 of the Broadcasting Act (as amended), to develop policies that are intended to ensure compliance with ICASA's code of conduct, the corporation's licence conditions, and the provisions of the act (SABC Editorial Policies, 2004). The analysis of data is to establish the policy formulation process with particular respect to the concepts of editorial independence and public accountability, which are fundamental in PBS.

The implementation of these policies is supposed to be realised through mechanisms such as voluntary and upward referral. The process of upward referral, in the SABC context, could be extended as far as the Group Chief Executive (who also serves as the Editor-In-

Chief) to whom the board delegates responsibility and holds accountable for the implementation of these editorial policies.

### **3.2 The Qualitative Research Tradition**

This study is primarily carried out within the qualitative research tradition. This tradition of conducting research is known for its substantial attention to detail in the research process, which makes it suitable for this study, as there is a wide range of documents to be analysed (Bryman, 1988:63). It also allows scholars access to important topics which may not have been visible to them had they foreclosed the domain of the study by a structured rigid tradition (1988:67). Since different research traditions are suited to different research goals, the qualitative approach is appropriate in this study as it goes beyond pure descriptions and provides room to news analyses and insights (Bryman, 1988; Cantrell, 1993; Lincoln and Guba, 1988).

This approach is also fitting not only because it allows different techniques in studying a phenomenon but also heavily relies on the human being as the tool of research (Lincoln and Guba, 1988). This is because qualitative methods are extensions of normal human activities like reading and mining available documents and records (Lincoln and Guba, 1992:199). In this study, the techniques of reading and mining of documents are central in understanding the origins and process of adoption of the editorial policies at the SABC in the context of editorial independence and public accountability issues facing public service broadcasters.

#### **3.2.1 The Case Study**

This study will employ a case study method because of its suitability in attending to a wide spectrum of evidence such as documents and its particularistic abilities in studying practical real-life problems such as policy adoption at organisations (Wimmer and Dominick, 1991:150; Yin, 1984:13). A case study is useful in attending to documentary evidence as it is a study of a bound system that emphasises the unity and wholeness of that system by confining attention to only those aspects that are relevant to the research problem (Stake, 1994:236). This will allow the researcher to only deal with issues arising

out of the two main concepts of this study—editorial independence and public accountability—in analysing the editorial policies the SABC adopted in accounting for its responsibilities as a public service broadcaster.

The case study method usually takes place within five distinct stages namely design, pilot study, data collection, data analysis, and report writing (Wimmer and Dominick, 1991). In designing case studies, one should be concerned with what to analyse and what exactly constitutes a case. A case, according to Wimmer and Dominick (1991) and Yin (1984), might be a specific decision, a particular corporation at a certain point in time, programme, or some other discrete event. One way of determining what to use as the unit of analysis is the available research literature.

The data collection stage may involve the observation, interviews, survey research methods, and document. For the purposes of this study, documents (as will be discussed in subsection 3.2.2 below) will be the source of data collection. The SABC policy formulation process yielded a lot of documentation from stakeholders as the public was involved in this process. The other documents include the draft editorial policies and the final ones.

The fourth stage in case studies is report writing. Traditionally, the report can follow a format proceeding with problem, methods, findings and discussion. However, it can also follow a non-traditional format such a chronological arrangement in case the study is comparative in nature (Wimmer and Dominick, 1991).

The last step is data analysis, and this stage has no specific bible to follow. However, Yin (1989), whose work is influential in case study research, suggests three broad analytic strategies, which include pattern matching, explanation building and time series.

Pattern matching involves comparing an empirically based predicated pattern with a predicted pattern or several alternative predicted patterns (Wimmer and Dominick, 1991: 152). In explanation building, the researcher constructs an explanation about the case by making statements about the cause or causes of the phenomenon understudy whereas in

time series, the investigator depends mainly on published documents such as annual reports to reach a conclusion of their study.

The case study method is also considered useful for this study as it generates new perspectives, new meanings and fresh insights, which can be used in improving future policy processes (Wimmer and Dominick, 1991). This is because case studies are considered as a step into action. Their insights may be directly interpreted and put to use in democratising the decision-making process (Cohen and Manion, 1994:123).

### **3.2.2 Document Analysis**

Documents are considered an important source of information since they are most likely to reflect an authentic situation that occurred at some stage in the past (Lincoln and Guba, 1988). Documents are also important since they are less susceptible to alteration (Chikunkhuzeni, 1999).

Document analysis offers reflections on significant theory propositions, which link critical insights into the public policy process, whose recommendations pave the way for future policy actions (Yin, 1984:107). In this study, the documents for analysis such the SABC draft editorial policies mainly do this (paving the way for future policy actions) as the final policies were based on the insights gained from the draft policies.

The SABC policy process allowed the public to submit their comments to the board in order to be able to produce the best policy documents so that the corporation's employees are clearly guided on what the public is expected of the broadcaster.

The documents to be analysed in this data are widely available to the public as they can be easily obtained from the websites of different organisations that submitted them to the SABC board. The draft and final editorial policies are also available in printed form in libraries whereas soft copies can also be accessed from the SABC websites.

### **3.3 Conclusion**

This chapter has presented the research methods and procedures used in this study. It started with the goals of the research before explaining the qualitative approach of media research. This means that the methods are qualitative in nature, specifically using the case study and document analysis. Consecutively, the chapter justified the methods employed in this investigation. The SABC policy formulation process yielded massive volumes of data and the methods presented in this chapter are regarded as the most appropriate in investigating such a real-life phenomenon. The next chapter looks at the historical context of the SABC and its transformation into a public service broadcaster.

# **CHAPTER FOUR**

## **HISTORICAL CONTEXT OF THE SABC AND ITS TRANSFORMATION INTO A PUBLIC BROADCASTER.**

### **4.0 Introduction**

This chapter recounts the history of the SABC from the late 1920s to the present day. This is important because the history of the SABC is shrouded in politics of apartheid characterised by lack of editorial independence and public accountability. It shows the way the corporation was used as a propaganda machine by the then ruling National Party and the significance the democratisation process had for the corporation in the early 1990s. This chapter also looks at the transformation of the SABC into a public service broadcaster. This is done through discussion of the Triple Inquiry, which is fundamental in tracing this transformation. The recommendations of the Triple Inquiry, which led to the eventual restructuring of the corporation, are also highlighted. The chapter also looks at the corporation's public mandate, its core editorial values, and its editorial code.

### **4.1 Brief History of the SABC**

The history of the SABC dates back to the late 1920s when film pioneer I.W. Schlesinger obtained a ten-year broadcasting licence from the government for his African Broadcasting Corporation (ABC) and by 1934, this medium was mildly commercially successful (Hachten and Giffard, 1984:202). At this time, the corporation only operated radio services. However, its programming was basically entertainment and the language on air was English. This prompted the government to invite Lord John Reith, the first Director General of the British Broadcasting Corporation (BBC) to carry out an investigation and propose a public service model for South Africa (Hachten and Giffard, 1984; Golding-Duffy and Vilakazi, 1998).

Reith's findings paved the way for the passing of the Broadcast Act by the South African parliament in 1936 that dissolved the African Broadcasting Corporation and established

the SABC. The SABC used to carry BBC news bulletins until 1950 when the corporation established its own news gathering service. In the same year, the corporation started a commercial station, Springbok Radio, to generate additional revenue for the SABC's three medium wave services, namely the Afrikaans Service (formerly known as Radio Suid-Afrika and currently named Radio Sonder Grense or RSG), English Service (formerly known as Radio South Africa and now called SAFM) and the Springbok Radio itself (Hachten and Giffard, 1984; Mishkind, 1993). Each used to broadcast 115 and half hours of programmes a week (Hachten and Giffard, 1984). The commercialisation of part of the broadcaster is a factor that continues to be a central policy issue as does the issue of internal cross-subsidisation.

The SABC was supposed to be a public service broadcaster, catering for every section of the population, but the programmes, and languages used on air were only for the minority white population. The corporation operated contrary to the ideals of PBS (see Chapter Two). This was a top-down policy of ignoring the interests of the black majority and promoting only those of the minority. Programming and editorial decisions were made in favour of the Afrikaner elite and white population. Such a policy could by no means make the SABC independent and accountable to the general public.

Broadcasting for Africans (black South Africans) was started only in 1952 when a British firm started operating a single channel loudspeaker system in Orlando Township, outside Johannesburg. It had an audience of about 11, 910 subscribers by 1957 when the SABC started providing 16 hours of daily programming for the system (Hachten and Giffard, 1984; Mishkind, 1993). The introduction of the transistor radio in the mid-1950s made it possible for ownership of portable radio sets, which were common in black settlements. Advances in technology in the late 1950s meant that multi-lingual radio operations were possible. Hachten and Giffard (1984) explain:

By 1959, SABC engineers realised the feasibility of a nation-wide FM system designed to serve a variety of audiences without mutual interference. FM made possible "Radio Bantu" or programming aimed specifically at Africans, and by 1964 this consisted of seven separate services: the Xhosa service in Cape

Province, the South Sotho service in the Orange Free State, the Tswana service in the northern Cape and western Transvaal, the North Sotho service in central Transvaal, the Zulu service in Natal and south eastern Transvaal, and the Tsonga and Venda services in the north east Transvaal (1984:203).

Although this might sound as a right step in the direction of incorporating programming for black South Africans in the services of the SABC, it does not mean that the corporation had achieved its status as a public service broadcaster with sound policies on editorial independence and public accountability. Neither does it mean that the aspects of the functionalist approach were included when the decision of having African programmes was being made. The functionalist perspective is of great importance in PBS as its aspects imply an all-inclusive benefit for the general population when policy is made. Instead, the operative paradigm was power – programming aimed at Africans was for control purposes along the tribal divide-and-rule lines of apartheid.

There were other FM radio services, although operated on commercial bases, that were introduced for whites. These included Radio Highveld for the north central region in 1964, Radio Good Hope for the western Cape in 1965, and Radio Port Natal for the Natal coastal area in 1967 (Hachten and Giffard, 1984:203).

The provision of radio across the entire population (though with apartheid purposes) was complimented in 1976 when the corporation introduced television services with an apartheid propaganda and commercial rationale. For six years, the SABC operated a single bilingual (English and Afrikaans) television channel called TV1 broadcasting each evening for about six hours (Hachten and Giffard, 1984). Later, a second service, TV2 was launched and expanded into two separate services (TV2 and TV3). In 1985, another channel was introduced (Golding-Duffy and Vilakazi, 1998:90). In the 1990s, the SABC was restructured establishing TV1 as a commercial white channel, TV2 and TV3 as a commercial black channel renamed Contemporary Community Values Television (CCV), and creating a public service channel called National Network Television (NNTV) out of the TopSport Surplus Sport (TSS) network (Horwitz, 2001). However, this did not make the SABC a genuine public service broadcaster independent of the ruling government and

commerce, and one that accounts to the general public. This was overtly admitted by the corporation in 1992 when it said that “the SABC’s dependence mainly on advertising for its income, coupled with its duty to satisfy target audiences, makes it impossible for the two existing channels, TV1 and CCV, to show specialised programmes or programmes for minority audiences in prime time” (SABC Annual Report, 1992:5). In addition, the provision of television in African languages was limited, and the contents in all languages was supportive of apartheid.

Several changes have since taken place to purportedly enable the SABC become a genuine public service broadcaster that is editorially independent of government and commerce, and one that accounts to the public. The corporation currently runs four television channels (SABC1, SABC2, SABC3, and SABC Africa) and two regional ones are in offing. It also runs 18 radio stations. These changes will be fully discussed later in this chapter.

As Hachten and Giffard (1984) observe, no history of the SABC, however brief, would be complete without reference to the influence of the Afrikaner elites who ruled South Africa from 1948 to 1994. The next section explores the influence they had on the SABC.

## **4.2 The SABC as a Tool of Government Propaganda**

The assumption to political power by the National Party in 1948 meant the Afrikanerisation of the SABC, which was achieved largely through controls of the board. One consequence was more airtime allotted to programming in Afrikaans. Another was that the ruling party adroitly used “the SABC as tool with which to dominate its political opposition and reassure its own followers” (Hachten and Giffard, 1984:200). The appointment of staff in SABC top positions was made with a view towards politics and factional compromises within the National Party, rather than on the basis of expertise and competence (Horwitz, 2001:121). This was inconsistent with a public service broadcaster. With such a power-of- the-dominant government policy in place, the SABC had to play a significant role in the politics of the day. The broadcaster, therefore, was

never in a position to make independent editorial decisions, and it also never saw itself as having to account to the whole population it was meant to serve.

The National Party's interference into the affairs of the SABC was not only via the board, but also by the party's secret organ known as the Broederbond (Hachten and Giffard, 1984; Duncan, 2001). The work of the Broederbond (Organisation of Brothers) was to establish and maintain a divide-and-rule mechanism and preserve a white, Afrikaans-speaking South Africa. The SABC played a significant role in this regard.

Given the potential of the SABC as one of the strongest opinion-forming groups, the Broederbond saw it as a tool for realising their objectives. It is against such a background that one should note that the introduction of services on the SABC for the majority of South Africans always had a political agenda which was not compatible with PBS concepts of editorial independence and public accountability. These alternative services that catered for a wide range of other racial and language groupings, were mainly to serve the propaganda interests of the National Party (Tleane and Duncan, 2003; Duncan, 2001; Hachten and Giffard, 1984). Hachten and Giffard further explain:

The importance of the SABC to the Broederbond-National Party alliance and the extent to which it [was] manipulated for party political ends were apparent in... the 'Masterplan for a White Country: The Strategy' [a secret document for the Broederbond] which explained the importance of having Broeders in charge of the Bantu service. The master plan called for the use of organisations, including the SABC and its Bantu services and the planned black television service to 'compel' compliance with the plan whose main purpose was to see that overwhelming numbers of blacks live and work in their own homelands... (1984:205).

The purpose of such policy whose origins are imprinted with government propaganda methods was part payback for the loyalty of the minority white population that kept the National Party in power, and part an attempt to consolidate and increase electoral support within this minority. The implications of a policy of that character were far from the PBS concepts of editorial independence and public accountability. The SABC was, rather, a government broadcaster.

With an organisation committed to the cause like the Broederbond, the implementation of this policy at the SABC seems to have been handled with relative ease. This is because, as explained in Chapter Two, the success of policy implementation, among others, depends on the objectives set to achieve it and the availability of a single implementing agency (the Broederbond in this case).

In PBS practice, it is the responsibility of the broadcasting board to implement policies. For much of the apartheid period, the Board of the SABC was not only directly appointed by government, but also under direct control of the Broederbond. In the 1970s, when deliberations to introduce television broadcasting were gaining momentum, Dr. Piet Meyer, the head of both the SABC and the Broederbond at the time, was named chairman of a commission of inquiry into television (1984:205). His team comprised of 12 members, seven of which were members of the Broederbond. Their influence on news and current affairs programming was excessive. The way they manipulated the SABC can be summed up with a quotation from Professor John van Zyl, as cited in Hachten and Giffard (1984:213). “SABC radio’s approach to the news is characterised by selection, omission, and placement, and these combine to give a weird picture of the world—a self-centred view of South Africa as a badly misunderstood and wrongly persecuted little nation that is a bastion of Christian democracy. Broadcast news doesn’t begin to give a rounded picture of the news either here or abroad.” As expected, the SABC staff were unable – even if willing – to produce programmes and news that were independent of this National Party secret agency. Since board members and key editorial staff appointments were made on the recommendations of the Broederbond it is likely that they would have seen it as their responsibility to account to the agency rather than the general public.

During PW Botha’s tenure as state president in the 1980s, the SABC (as well as other media), went beyond the influence of the Broederbond to directly provide support for the activities of the security agencies by getting involved in the daily routines of these special forces (Truth and Reconciliation Commission Report, 1998). This included taking editors and other senior members of the media for military and intelligence *bosberaad* (strategy

planning sessions) and allowing well-known security agents such as Vic McPherson of the Security Branch to regularly visit the SABC (1998:180). This tight control of the SABC meant that the corporation could hardly deliver a true public service.

### **4.3 The Inception of Democracy and its Significance to the SABC**

In the early 1990s, due to pressure from opposition groups such as the African National Congress (ANC) and other groupings, the National Party realised that a democratic transition entailing a loss of apartheid power was not farfetched. The transition would affect the SABC since the ruling party had always used it as a propaganda machine. Now the National Party faced the prospect of an ANC government using the broadcaster in the same manner. Therefore measures to transform the SABC so as to avoid such a scenario were deemed necessary. The SABC had long been an important tool for the dissemination of Afrikaans language, culture, and ideology (Horwitz, 2001).

In March 1990, a Task Group on Broadcasting in South and Southern Africa was inaugurated under the chairmanship of Professor H.C. Viljoen, then chairman of the SABC board. Some writers interpreted this as a coherent and organised attempt to influence the National Party politicians into adopting a more liberal policy (Horwitz, 2001; Golding-Duffy and Vilakazi, 1998:84). This is because the findings of the task group were somewhat within a functionalist paradigm, in that they recommended programming that would cater for all sections of the general population. The report thus read that the SABC should “ensure that broadcasting in South Africa serves the public in such a way that the ideals of a democratic, non-racial, non-sexist and prosperous society are pursued and advanced” (Viljoen Task Group Report in Horwitz, 2001:131). However, groups sympathetic to the ANC had long opposed the Task Group for political reasons and they embarked on measures to guarantee that the restructuring of the SABC did not favour the National Party.

This led to the organising of several conferences and workshops in order to pressure the government on the transformation of the SABC into a genuine national public service broadcaster. These events included the 1991 Jabulani! Freedom of the Airwaves

Conference in the Netherlands, the University of Bophuthatswana Conference in 1991, and the Free, Fair and Open Conference in Cape Town in the same year. Golding-Duffy and Vilakazi (1998) explain the outcome of such conferences:

By 1992 there was general agreement that the SABC, as a public broadcaster, needed to be reformed to serve the interests of all sectors of the South African population. The National Party government's attempt to keep a stranglehold on the SABC led to the establishment of the Campaign for Independent Broadcasting (CIB), a broad-based coalition that included major trade unions and progressive political groupings such as Cosatu, the African National Congress, the South African Communist Party and the South African Council of Churches (1998:85).

The power paradigm was therefore transferred to a more participatory one, albeit at the level of elite pluralism involving organised civil society groups.

The CIB's main objective was to call for the appointment of a new independent SABC board that was more representative of the country's demographics and political diversity. However, there was resistance from the National Party regarding the criteria to be used in appointing an independent board. There were negotiations between the National Party and the ANC (on behalf of the CIB) on this issue of an independent board. The National Party was reluctant to accept an independent board because this would render it powerless in controlling the SABC during the greatest political election contest it had ever faced (Minnie, 2000). On the other hand, the ANC was concerned that it would face the political incumbent in the elections that was still backed by a broadcasting house as big and strong as the SABC. The strategic option facing the ANC was, therefore, to advocate for an impartial broadcaster (Horwitz, 2001).

This objective (of appointing an independent board) was achieved in May 1993 when the new SABC board was appointed. Board candidates were nominated by the public but some of the criteria for appointment disqualified employees in government structures and political organisation officials (Horwitz, 2001). The candidates also had to reflect society

as a whole, taking into account gender, geographic, and the social composition of South Africa. The candidates were interviewed during public hearings by a panel of eight jurists chaired by the only sitting black judge, Ismail Mohamed. The panel's recommendations were sent to the state president to make the appointment. The panel sent 27 nominees to the president (FW de Klerk) who vetoed seven of the recommended nominees, including Professor Njabulo Ndebele, the panel's choice for chair and instead nominated Dr Frederik van Zyl Slabbert (Horwitz, 2001:144). However, de Klerk had no such clear veto power and anger at his interference deprived Slabbert of the chairmanship.

With elections scheduled to take place in a period of less than year, the concerned parties did not have enough time to fight each other over this (and there were fears that this could compromise some of the political deals agreed upon by the National Party and the ANC). Thus, Dr Ivy Matsepe-Casaburri, an ANC member but hardly a prominent activist, was nominated chairperson of the board (Horwitz, 2001). Matsepe-Casaburri's board inherited the SABC 'as-is' (Duncan, 2001).

The new board recognised that unless it proceeded with transforming the SABC from a government broadcaster to a public one, it would be saddled with managing an apartheid structure. This transformation started with instituting the Transformation Unit that consisted of theme committees dealing with policies on language, religion, education, drama, news and information, and staffing (Tleane and Duncan, 2003:82). The policy on news and current affairs was regarded the most important to pay particular attention to, due to the expected role the SABC would play in covering the country's first democratic general elections in 1994. The board's next policy priority areas were language, religion and education. To be able to serve all segments of the whole country so as to fulfil its PBS responsibilities, the SABC desperately needed a language policy—hence the reason for regarding it as the second most important.

Today (2004), like it was in 1993, the board is still tasked with duties of controlling the corporation and determining its broad policy direction. Although the state president still appoints members of the board after a public nomination process, there have been

changes regarding the selection of the nominees forwarded to the president. The parliamentary Portfolio Committee on Communications is now charged with selecting and forwarding the names of potential board members to the state president (Tleane and Duncan, 2003; SABC Corporate, 2004; Annual Report, 2002/2003). The president appoints 12 members who are joined by three others to make it 15. These include the Group CEO, Chief Operating Office (COO), and Chief Financial Officer (CFO). This process of nominating board members by the general public is seen as a measure of guaranteeing editorial independence and public accountability since such members do not have to pledge allegiances to government or corporate entities. The board vests the powers of applying policy and determining strategies and guidelines for achieving corporate objectives into the hands of the Group CEO who, since April 2004, also serves as the Editor-in-Chief. Implementing policies such as the SABC editorial policies is also his/her responsibility. The board serves four-year terms.

The board of the SABC is required by law, as a public accountability procedure, to furnish the Minister of Communications, on or before September 30 each year, with a report on the work of the corporation. The minister then tables the report in parliament before a hearing is held in the Portfolio Committee on Communications. The board does a presentation on the report to the committee and is then questioned by the members of parliament. Tleane and Duncan (2003:81) observe that this method of accountability is based on the assumptions implicit in representative democracy, namely that parliamentarians are publicly elected officials, and therefore they represent the interests of the general public.

However, this procedure of accountability has led to criticism from opposition political parties that the ruling ANC's majority in parliament ensures that board members are sympathetic to government when determining the corporation's broad policy. There is need therefore, to ensure that whoever is appointed to the board abides by policy and legal provisions that the SABC is a public service broadcaster and not a government broadcaster, as these are encapsulated in the Broadcasting Act (as amended) of 2002.

#### **4.4 The Transformation of the SABC into a Public Broadcaster**

The need to transform the SABC was part of the desire to have a non-partisan public broadcaster before the country embarked on its first democratic multi-party elections in 1994. First, this transformation would change the SABC's modes of accountability from a government broadcaster to one accounting to the public (Tleane and Duncan, 2003). Second, this shift in accountability procedures would pave the way for an independent broadcaster. A government broadcaster as the SABC had been does not account to the general public. Accordingly, the new board was supposed to account not to a minister, but to a new broadcast regulator.

Thus, another step in the transformation of the SABC was when the white-dominated parliament assented to the Independent Broadcast Authority (IBA) Act in 1993, which law called for the regulation of broadcasting in the public interest so that provisions of a diverse range of sound and television broadcast services on national, regional and local levels would be promoted (Horwitz, 2001). The Act established an independent regulatory body to ensure the development of a three-tier form of broadcasting; public, private (commercial) and community (non-profit and locally-rooted). The independence of the IBA was subsequently enshrined in the country's democratic constitution, a critical element in the preconditions for independent and accountable public broadcasting as discussed in Chapter Two.

However, broadcast policy in the democratic South Africa has been a matter of contestation. For instance, there was conflict between government and the IBA in 1996 over who has the right to make policy since the regulator was seen by the then Minister of Communications Jay Naidoo, as too independent, and he announced that his department would take over the framing of broadcast policy and scale down the IBA to the status of a "normal" regulatory body (Horwitz, 2001:171). However, after contestation around this issue, it was finally agreed that the minister only makes broad policy. Further, such policy directives have to be in line with laws governing the broadcasting industry in South Africa which ensure that laws are made through transparent democratic procedures involving the parliamentary Portfolio Committee on

Communications and usually some tenets of the participatory paradigm of inviting the general public to make representations (see Chapter Five).

In 2000, the IBA was merged with the telecoms regulator to form the Independent Communications Authority of South Africa (ICASA), and it retains its constitutionally independent status as regards broadcast regulation.

The 1993 law establishing the IBA also called for the investigation into the viability of public broadcasting, cross-media ownership rules, and local content provisions (2001:145). This important investigation, which has a bearing on the topic of this thesis, is known as the Triple Inquiry.

#### **4.4.1 The Triple Inquiry**

The holding of the Triple Inquiry meant that no new licences could be granted until the investigation report had been completed, apart from temporary licences to community radio broadcasters. The findings and recommendations of the Triple Inquiry were to be furnished to parliament by the IBA so that the country's policy could be determined. This was because the IBA, although it convened the Triple Inquiry, did not have the formal powers to make policy from the investigation. The powers lay with parliament. Horwitz observes that "the IBA's Triple Inquiry clearly approximated the features of the open and consultative public deliberations that would characterise the later Green Paper/White Paper processes. Indeed, the Triple Inquiry can be said to have been among the first of the official consultative stakeholder policy processes" (2001:148-149). The participative nature of the inquiry put the interests of the general public into consideration.

By consulting the public for their views on the viability of PBS, the Triple Inquiry posited the importance of catering for the interests of the public when decisions were to be made. A consultative approach opens the doors for the incorporation of minority interests when PBS policy is finally made. Such an approach is a step forward to formulating and implementing policies that emphasise the significance of editorial independence and public accountability notions in PBS.

For South Africa's new democracy to take root, the Inquiry observed, the people would need information to participate in the processes and decisions that affect their daily lives (IBA Triple Inquiry Report, 1995). Since the SABC had been used in the past to deny South African citizens this opportunity, the Inquiry found it necessary to stress the importance of editorial independence. It thus stated, "independence is a central public interest principle which ensures editorial freedom and limits the influence of advertising on content, particularly on public broadcasting services" (1995:26). It added, "the public broadcaster should assert its autonomy from control by vested interests, whether political or financial. It should safeguard its editorial independence to ensure its credibility as a national source of reliable and regular information. It should offer comprehensive, timely and accurate news and information across a range of television and radio channels to enable a properly informed debate on important issues" (1995:35).

The recommendations of the Triple Inquiry were fundamental for the restructuring process (read privatisation of some of the corporation's stations). It argued that the restructuring would enable the public broadcaster to provide full public service information, education and entertainment programming; address the needs of all language and cultural groups; promote and reflect the national culture, character and identity; deliver provincial public services; set and maintain quality standards; innovate and experiment in programming; develop human resources and create jobs; and provide religious programming (IBA Triple Inquiry Report, 1995:40). This opened the doors for the SABC to be transformed in order to serve the population as an independent public broadcaster. However, the Inquiry was vague on funding and implementation mechanisms for achieving "full" public broadcasting service which led to the Green and White Paper processes as will be discussed below.

#### **4.4.2 Restructuring Recommendations and their Results.**

Based on the Triple Inquiry recommendations, the SABC started undergoing the process of restructuring through the sale of some of its regional radio stations. This was seen by the IBA as opening up the airwaves and stimulating the growth of the private

broadcasting industry. The SABC would remain a national broadcaster (Horwitz, 2001; Duncan, 2001; Golding-Duffy and Vilakazi, 1998). However, the Inquiry argued that the corporation should still retain some of its regional stations for purposes of commercial viability and fulfilment of its public mandate (the mandate requires the SABC to broadcast in all the 11 official languages. These stations would therefore help it fulfil it).

In case of radio, the Triple Inquiry recommended that seven SABC regional stations: Good Hope, KFM, Algoa (and its split, BRFM), RPN East Coast, Oranje (and its split Goudveld), Highveld and Jacaranda (and its split RMFM) as well Radio Lotus, the service targeting the Indian community be sold (IBA Triple Inquiry Report, 1995; Duncan, 2001; Horwitz, 2001). The report argued, however, that the SABC retain Metro and 5FM, as they were national stations and served large and established audiences and provide crucial revenue to the corporation. However, the SABC lobbied intensely and successfully against the sale of regional stations, Lotus and Good Hope. In this regard, the liberal pluralistic paradigm has resonance, where policy outcomes resulted from the competitive interests at play.

Currently, the SABC runs 18 radio stations (in both divisions PBS and CBS) broadcasting in 13 languages, plus an external radio service in four languages. An estimated 19 million South Africans are believed to be listening to SABC radio every day (SABC Corporate, 2004). There are 14 stations dedicated to PBS, and of these 11 broadcast in each of the official languages of South Africa. The 14 PBS radio stations include Ukhozi FM broadcasting in isiZulu, Umhlobo Wenene in isiXhosa, Lesedi FM in Sesotho, Thobela FM in Sepedi, Motswedding FM in Setswana, Munghana Lonene FM in xiTsonga, Ligwalagwala FM in siSwati, Ikwekwezi FM in isiNdebele, Phalaphala FM in tshiVenda, SAFM in English, RSG in Afrikaans, Lotus FM in English (it is dedicated to the Indian community), CKI FM Stereo in isiXhosa and English, and X-K FM, a community station in !Xu and Khwe. The commercial radio stations include Metro FM, 5FM, Good Hope FM, and Radio 2000.

The SABC also runs an external radio station, Channel Africa, on behalf of the South African state. This international station can be received across the continent. It broadcasts in four languages, namely English, Kiswahili, Portuguese, and French. The station is government-funded, unlike the other SABC stations. In July 2003, the SABC closed down loss-making Bop Broadcasting television and radio stations (Berger, 2004b). The closure was effected after consultations with government since the Bop channels, like Channel Africa, fell in the Administered Broadcasting Service of the SABC (Annual Report, 2002/2003).

In the case of television, the IBA Triple Inquiry had proposed that the SABC reduce its terrestrial channels from three to two by 1997. It had proposed that the corporation shift informational and educational programming from its third channel to the two. However, the SABC managed to lobby so that today it retains its three television stations, again demonstrating the currency of the liberal pluralist paradigm at work. Currently, the SABC runs SABC1, a free-to-air television with a youthful focus broadcasting in English, isiZulu, isiXhosa, isiNdebele, and siSwati. SABC2 is a free-to-air channel targeting the whole family. It broadcasts in English, Afrikaans, Sesotho, Setswana, Sepedi, xiTsonga, and tshiVenda. The third channel is SABC3, which is a free-to-air public commercial station for cosmopolitan viewers. Its programming is infotainment-based and in English. The corporation also operates a pay channel station targeting the rest of Africa. It is called SABC Africa and broadcasts in English.

The inquiry recommended that the corporation's public broadcasting services be funded through a mix of advertising and sponsorship, licence fees, government grants and other income such as merchandising their products and facilities (Tleane and Duncan, 2003; IBA Triple Inquiry Report, 1995). However, Tleane and Duncan (2003) observe that the future of public funding to the SABC hung in the balance with no firm commitment on the part of the government for ongoing funding. The complication here prompted the Department of Communication to develop the first Green Paper on broadcasting in 1997 which eventually led to the White Paper on broadcasting in 1998.

#### **4.4.3. The Green and White Papers**

The Green Paper examined two models of transforming the SABC. The first proposed that the corporation be run according to a traditional public broadcasting charter while the second was to corporatise the SABC, making it a public company with the state as the sole shareholder. The White Paper (which was never open for public debate) pursued the route of corporatisation. The subsequent broadcasting bill which was released two months after the White Paper also maintained the need for corporatising the SABC. The general public did not have enough time to debate this corporatisation as they were given a mere 17 days to comment on it, effectively cutting out their input (Tleane and Duncan, 2003). This represented a power approach in designing policy, and the result was the maintenance of the corporatisation perspective in the Broadcasting Act of 1999.

The Act stipulates that the SABC be corporatised and divided into two divisions: PBS and CBS, with the latter cross-subsiding the former. ICASA (which superseded the IBA) is supposed to monitor this process. In 2004, the SABC embarked on the process of submitting different licence applications for its two divisions to ICASA.

As set out in the White Paper, the SABC public services would be subject to a statutory charter and their funding would come from licence fees, government grants, advertising and sponsorship as well as cross-subsidisation from dividends paid by the CBS channels (White Paper on Broadcasting Policy, 1998). This funding model, suffice it to say, has ramifications for independence and accountability as it raises the question of the extent to which the SABC CBS services have to account to market forces rather than purely public service objectives. In addition, the PBS services are still seen as carrying advertisements.

It was hence argued by some lobby groups that the SABC would pursue commerce at the expense of PBS functions and concentrate on profit making. The FXI, in its submissions on the Broadcasting Bill to the parliamentary Portfolio Committee on Communications, argued that this form of funding is politically and financially dangerous, and may result in the withering away of public broadcasting (Freedom of Expression Institute, 1998).

They further argued that if the commercial arm is to return a dividend to the fiscus, there

is no guarantee that the money would find its way back into the public service arm. If it found its way to the Minister, it might be reallocated at his/her discretion, which opened the door for political manipulation of the public broadcasting arm through financial control. Duncan (2000) sees this as a deliberate attempt by the government to abdicate its responsibility of providing a stable and independent funding base for public broadcasting activities. Because of the necessity to have independent and publicly accountable public service broadcasters, corporations like the SABC need access to funds that would not compromise their ethical standards as explained in Chapter Two.

#### **4.5 The SABC Public Mandate**

The functions and duties of most public service broadcasters worldwide are outlined in acts made by the particular country's legislative bodies. The SABC is not an exception to this. Its public mandate is outlined in a charter laid down in Chapter IV, Section V1 of the Broadcasting Act (as amended) of 2002. The SABC public mandate as a public broadcaster comes from this charter, which defines the corporation's objectives (SABC Editorial Policies, 2004).

##### **4.5.1 The Charter**

The charter states that the SABC must encourage the development of South African expression by providing, in South African official languages, a wide range of programming that:

- Reflects South African attitudes, opinions, ideas, values, and artistic creativity
- Displays South African talent in education and entertainment programmes
- Offers a plurality of views and a variety of news, information and analysis from a South African point of view
- Advances the national and public interest.

However, in pursuit of its functions and duties in order to achieve its public mandate, the SABC enjoys freedom of expression and journalistic, creative and programming independence as enshrined in the South African constitution (Annual Report,

2002/2003:6; SABC Editorial Policies, 2004:2). This guarantees the corporation editorial independence and freedom in the execution of its duties as a public broadcaster.

However, for effective policy formulation and implementation to take place, there is a need for clear and unambiguous guidelines so that policy answers the questions of what and why. The charter ignores this aspect of the functionalist approach, which is why calls could be made to flesh out more detailed editorial policies to give effect to the charter.

#### **4.5.2 SABC Core Editorial Values**

The inception of democracy in the early 1990s meant that the role of the SABC had to change to serve the interests of the entire population as explained above. In a democratic South Africa, the SABC as a national public broadcaster has to adhere to the goals of the country's constitution. (See Chapter Two on how values are interrelated with policies and codes).

The constitution calls for national development, unity, diversity, non-racialism, non-sexism, democracy and human dignity (SABC Editorial Policies, 2004:3). These values bridge the political, class, racial, and gender divides. This helps to explain why the SABC regards some concepts as its core editorial values as outlined below:

- Equality: The SABC provides programmes for everyone, in all the official languages, and promotes universal access to its services.
- Nation Building: The corporation celebrates South Africa's national identity and culture, and provides its citizens with the information they need to participate in building a democratic South Africa.
- Diversity: The SABC reflects South Africa's diverse languages, cultures, provinces and people in its programmes.
- Human Dignity: The public service broadcaster respects the inherent dignity of all South Africans, reflects them in all their diversity, and does not use languages or images that conveys stereotypical or prejudiced notions of South Africa's races, cultures and sexes.

- Transparency: The SABC ensures that the principles of honesty, openness and transparency govern every aspect of its relationships with shareholders, stakeholders, suppliers and the public.

In addition, the editorial policies present the following as core values:

- Editorial Independence: The SABC is governed by the charter, which enshrines the journalistic, creative, and programming independence of the staff of the corporation, and the constitutionally protected freedom of expression.
- Accountability: In discharging their editorial responsibilities, the SABC management and staff are accountable to the board, which is charged with ensuring that the corporation complies with the charter.

The SABC cannot claim to abide by the constitution unless it fulfils these values which are complimented by an editorial code (originally developed in 1993) as will be discussed below. However, complementing both the charter and code is a set of more specific editorial policies that guide and hold the staff responsible when making editorial and programming decisions that accord with key PBS concepts (see Chapter Six). Then, alongside the charter, values, policies and codes, there is also a need for a comprehensive implementation structure to ensure that those responsible for ensuring editorial independence and public accountability objectives are guided as to how to put these all into practice.

#### **4.5.3. The SABC Editorial Code**

Contradictory to policy stage theory discussed in Chapter Two, the SABC editorial code is not explicitly derived from its core editorial values which were only spelt out in the draft editorial policies of 2003. The code, which was first developed by the board in 1993 and which made implicit assumptions about PBS values, is supposed to underpin all the corporation's programming. However it does affirm commitment to the principle of editorial independence and public accountability. The SABC Editorial Policies (2004:4) spell the code out as follows (some points of the code are deliberately left out as they are of less value to this study):

- We report, contextualise, and present news and current affairs honestly by striving to disclose all the essential facts and by not suppressing relevant, available facts, or distorting by wrong or improper emphasis
- In serving the public's right to know, we are enterprising in perceiving, pursuing and presenting issues that affect society and individuals
- We are free from obligation to any interest group, and committed to the public's right to know
- We do not accept gifts, favours, free travel, special treatment or privileges that could compromise our integrity
- We understand that if South Africans are to meet the challenges of building a nation and a strong democracy, they must have access to relevant, reliable, and timely information of the best quality. In covering newsworthy events, we aim to give them what they need in order to make informed decisions about their lives.
- We do not allow advertising, commercial, political or personal considerations to influence our editorial decisions. The SABC is expected to provide information and as part of this duty should evaluate, analyse and critically appraise government policies and programmes. The SABC is not the mouthpiece of the government of the day, nor should it broadcast its opinion of government policies, unless they relate directly to broadcasting matters

The clauses above protect editorial staff from any form of interference and hold them responsible for producing programmes and news suitable for all citizens. The code also sets out that:

- We are aware of the danger of discrimination being furthered by the media, and avoid promoting discrimination through SABC's programmes on the grounds of gender, race, language, culture, political persuasion, class, sexual orientation, religious belief, marital status, or disability
- We are committed to being a truly national broadcaster, providing a showcase of all South Africa's provinces and peoples

- We provide a programme mix that suits a variety of tastes and reflects the diverse make-up of South Africa. This extends to languages, cultures and geographical regions.

The points above are of value in PBS as they signal the significance of including minority groupings in the public broadcaster's programming. Since public broadcasters are tasked with an obligation of serving the general public, implementing this code is a step towards fulfilling the public mandate and accountability.

Further, the code states:

- We seek balance by presenting relevant views on matters of importance, as far as possible. This may not always be achieved in a single programme or news bulletin, but should be done within a reasonable time
- We are guided by news merit and judgement in reaching editorial decisions. Fairness does not require editorial staff to be unquestioning, nor the SABC to give every side of an issue the same amount of time
- We support South African culture and develop programmes that are identifiably South African and contribute to a sense of national identity; to a sense of shared experience and the goal of nation building
- We foster open dialogue with our viewers and listeners, as we are accountable to the public for our reports

Engaging viewers and listeners openly as the above code stipulates is a check and balance facet of making sure that the programmes produced are of interest to those being targeted. It is in theory also a form of public accountability as audiences are entitled to "open dialogue" with SABC regarding any issues that could be raised. On their own however, neither the charter, the values nor the code do the job of specific editorial policies that can provide the necessary guidelines for specific achievement. Examining such editorial policies is the topic of Chapter Six.

## **4.6 Conclusion**

This chapter has given an account on the historical context of the SABC and its transformation into a public service broadcaster. It started with the history of the SABC followed by an explanation on how the subsequent governments of the National Party exploited the corporation in realising their political goals. The SABC on paper was a national public broadcaster before the early 1990s, but it neither enjoyed editorial independence nor did it account to the public. Instead the National Party controlled its editorial content through its secret organ the Broederbond to whom the corporation management accounted. The chapter also looked at how the changes on the political scene affected the SABC. In tracing its transformation into a public broadcaster, the chapter looked at the Triple Inquiry. It also looked at the structure of the SABC today and highlighted the mechanisms put in place to ensure that the corporation realises its public mandate through editorial independence and public accountability. These mechanisms include the SABC public mandate, its core editorial values, and its editorial code. The following chapter looks at the corporation's editorial policy formulation process.

## **CHAPTER FIVE**

### **THE SABC EDITORIAL POLICY FORMULATION PROCESS**

#### **5.0 Introduction**

This chapter reveals the process the SABC undertook in formulating its editorial policies by tracing the origins of the policy. This is done by looking at the Broadcasting Amendment Bill of 2002 that paved the way for a new Broadcasting Act. However, there were parliamentary debates that ensued during the process of amending the Act where the Minister of Communication was accused of trying to turn the SABC into a government broadcaster. These debates are highlighted in this chapter. It also looks at Section Six of the Broadcasting Act (as amended) which calls upon the SABC to develop policies to ensure that, as a public service broadcaster, it serves all sections of the general public. This would make the SABC editorially independent and publicly accountable. The chapter also looks at the draft editorial policies and the process that followed in ensuring that the public was consulted. It gives prominence to public consultation in the final policy formulation process because this was seen as a way of making sure that the decisions made cater not only for the majority but minority interests as well. It also looks at the final editorial policies in terms of editorial independence and public accountability.

#### **5.1 Origins of SABC Editorial Policy**

In most cases, the policy formulation process evolves to address issues surrounding the state of the concerned industry at a given period of time. In South Africa, as explained in the previous chapter, there was need for deliberations on formulating policy during the early 1990s in a bid to prepare the broadcasting sector and the entire media industry at large for the changing political environment. A recap of the political atmosphere in the early 1990s shows negotiations between the ruling party, its political opponents, and other civil society organisations on South Africa's democratic future. Questions focusing on the independence of the SABC, being the dominant feature of the country's broadcasting sector, were always inevitable. Issues regarding the independence of the broadcast media during the post-apartheid era led to the establishment of an autonomous regulatory body to ensure that the ruling political party of the day did not exert its

influence on the editorial content of the broadcasting media especially the SABC. Although the major threat was assumed to be interference from the political parties, the influence of commercial interests on editorial content was not ignored.

The regulatory body to be named the Independent Broadcasting Authority (IBA), now Independent Communications Authority of South Africa (ICASA), was set up in 1993 with legal provisions calling for the regulation of broadcasting in the public interest to promote the provision of a diverse range of sound and television broadcast services on national, regional, and local levels, which when viewed collectively, cater for all language and cultural groupings and provide entertainment, education, and information (Horwitz, 2001:145). Against such a backdrop, the Broadcasting Act of 1999 included a Charter which provides the corporation with a conducive legal environment to pursue its (SABC) objectives through the exercise of powers that guarantee freedom of expression and journalistic, creative and programming independence.<sup>1</sup>

### **5.1.1 The Broadcasting Amendment Bill, the Politics of Policy Formulation and the Broadcasting Act (as amended)**

The formulation of policy can originate from all the three arms of government namely the executive, judiciary, and the legislature (see Chapter Two). In South Africa, the Broadcasting Amendment Bill (2002), which stipulated, in part, the need for editorial policies was introduced from the executive arm of government by Dr Ivy Matsepe-Casaburri, the Minister of Communications. The bill claimed a rationale of creating an independent and publicly accountable public broadcaster modelled on the same principles of PBS as in Britain, Canada, and Australia (Tleane and Duncan, 2003). However, the bill became a controversial piece of intended legislation with various stakeholders accusing the Minister of seeking increased accountability of the corporation to the Department of Communications. In other words, the accusation was that the bill was seeking to transform the SABC from a public to a state broadcaster (2003:170; Holomisa, 2002).

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<sup>1</sup> Adapted from the Broadcasting Act of 1999. Accessed on February 10, 2005 from <http://www.icasa.org.za/Default.aspx?page=1030>.

The Minister, however, argued that the ANC government she represents did not intend to control the SABC in way. After all, she argued, it understood the need for independence in broadcasting since it was the same political movement that struggled against the use of the corporation as a propaganda machine under the apartheid regimes. SANEF counter-argued, stating that the proposed Section 6(5) of the bill subverted the authority of the board and its powers by vesting them with the Minister instead, and that this essentially stripped the SABC of its independence from government, which contravened the provisions of the Broadcast Act of 1999 (the principal Act).<sup>2</sup>

It was argued that the SABC was to be turned into a government broadcaster by the bill's provision to eliminate a clause from the original Act that guaranteed the SABC freedom of expression and journalistic, creative and programming independence (Cosatu, 2002; Tleane and Duncan, 2003; FXI, 2002; Holomisa, 2002). The Minister wished to determine which members would sit on these boards<sup>3</sup> and their powers and functions were also to be determined by the minister through the corporation's memoranda and articles of association (Tleane and Duncan, 2003). This was seen by opposition members of parliament as a deliberate attempt to deny the SABC editorial independence and public accountability and reward those in power and the government and the ANC (see Chapter Two). By doing this, this study's assessment is that Dr Matsepe-Casaburri was acting contrary to the international models (in Britain, Canada and Australia) she had proposed, since they do not necessarily follow the form of accountability practised in those countries (see Chapter Two).

Clauses six and 12 of the bill were set to allow the Minister to approve the editorial policies for the corporation. However, the Minister did not see this as interference because the SABC, she argued, would be able to broadcast as it saw fit. This was interpreted by opposition members of parliament as a mechanism that allows the

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<sup>2</sup> Mathatha Tsedu, then chairman of SANEF presented his organisation's submissions to the Parliamentary Portfolio Committee on Communications during the public hearings of the Broadcasting Amendment Bill of 2002. Accessed on December 15, 2004 from <http://www.pmg.org.za/docs/2002/viewminute.php?id=2084>.

<sup>3</sup> Like in the principal Act (1999), the bill maintained the idea of a corporatised SABC with two divisions — PBS and CBS — with separate boards.

corporation to act as it wants so long as this was within the editorial policies approved by the Minister. They further argued that this would make the corporation, including its board and individual journalists, accountable to the Minister.<sup>4</sup>

Finally, the argument was advanced that the injunction for editorial and other policies being subject to approval by the minister was a travesty of the basic principles of PBS (2003:173).

In her defence against the accusations of trying to usurp the editorial powers and public accountability of the SABC, the Minister argued that these measures were to ensure that journalists were accountable for what they did. She could not allow them to report in a manner that would threaten the health of the economy or lead to the drop in the Rand (Tleane and Duncan, 2003). In this, the Minister's argument and the line of reasoning held by the opposition members of parliament appear to be taking a national interest versus a public interest discourse (see Goedgedacht Forum for Social Reflection, 2002). This particular issue around public broadcasting would benefit from further research that is not possible within this thesis.

While introducing the bill to the parliamentary Portfolio Committee on Communications, the Minister was quoted by the *Business Day* newspaper as saying:

Rather than programming content that addresses itself to our needs, the broadcasting system continues to be dominated by content that most of the time is about far-away countries and events that have no bearing to our existence. At times foreign rulers are given carte blanche access to our living rooms to propagate their propaganda when our own leaders cannot enjoy the privilege to air their views on important matters about our own country (Tleane and Duncan, 2003:174).

This justification by the Minister could be interpreted as a policy intended to benefit those in power rather than the whole country. The government was, therefore seen as

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<sup>4</sup> Minutes of public hearings conducted by the Parliamentary Portfolio Committee on Communication during the Broadcasting Amendment Bill of 2002. Accessed on December 15, 2004 from <http://www.pmg.org.za/docs/2002/viewminute.php?id=2055>.

measuring ways of controlling the editorial content of the SABC under the guise of ensuring greater accountability.

There were concerns from the civil society organisations mentioned already in this chapter, regarding the external oversight in the editorial policy formulation process during deliberations in the Portfolio Committee on Communications. It was also argued by opposition members of parliament that there was need for views from without the SABC when policy was being formulated, so that the outcome makes the public broadcaster independent and publicly accountable at the highest level possible. Two major steps were then taken to ensure this. First, the committee rewrote the bill by requiring the SABC board to prepare and submit to ICASA policies that would ensure compliance with the authority's (ICASA) code of conduct as prescribed and with the licence conditions and objectives contained in the Act. Second, the board was obliged in effect to guarantee a participatory approach by ensuring public participation in the development of the policies and "provide suitable means for regular inputs of public opinion on its services and ensure that such public opinion is given due consideration" (Tleane and Duncan, 2003:176). These provisions replaced those that had sought to empower the Minister as the custodian of SABC accountability, thus making sure that the corporation accounts to the public rather than the state. The bill's attempt to scrap the clause that guaranteed the SABC freedom of expression and journalistic, creative and programming independence was dropped.

## **5.2. Editorial Policy Process**

Against this background, section Six of the Broadcasting Act (as amended) of 2002 therefore, required the national public service broadcaster (the SABC) to develop policies that are intended to ensure compliance with the authority's code of conduct, the corporation's licence conditions, and the provisions of the Act (see Chapter Four). The Act spells out this requirement as follows:

- In terms of this Charter, the Corporation, in pursuit of its objectives and in the exercise of its powers, enjoys freedom of expression and journalistic, creative and programming independence...

- The Corporation must encourage the development of South African expression by providing, in South African official languages, a wide range of programming that-

- (a) reflects South African attitudes, opinions, ideas, values and artistic creativity

- (b) displays South African talent in education and entertainment programmes

- (c) offers a plurality of views and a variety of news, information and analysis from a South African point of view

- (d) advances the national and public interest

- The Board must prepare and submit to the Authority not later than three months after the date of conversion [corporatisation], policies that will ensure compliance with the Authority's Code of Conduct as prescribed and with the Corporation's license conditions and with the objectives contained in this Act, including:

- (i) news editorial policy

- (ii) programming policy

- (iii) local content policy

- (iv) educational policy

- (v) universal service and access policy

- (vi) language policy

- (vii) religious policy.

- The Board must ensure that there is public participation in the development of the policies by inviting and considering public comment on such draft policies and by other means.

- The Corporation must develop a Code of Practice that ensures that the services and the personnel comply with-

- (a) the constitutional principle of equality
- (b) the equitable treatment of all segments of the South African population
- (c) the constitutional requirement of equitable treatment of all official languages
- (d) the rights of all South Africans to receive and impart information and ideas
- (e) the mandate to provide for a wide range of audience interests, beliefs, and perspectives
- (f) a high standard of accuracy, fairness and impartiality in news and programmes that deal with matters of public interest

In terms of PBS, the Act is functionalist in approach as it provides the basis for editorial policies that cater for everyone. If the provisions of this Act are put into practice, the public service broadcaster should be able to achieve the concepts of editorial independence and public accountability.

### **5.3 SABC Implements Act Provisions**

As mandated by this Act, the SABC embarked on drafting its editorial policies, which it put out for public comment in April 2003. These policies were immensely influenced by those of the BBC. Such policies include upward referral. This is further discussed in section 5.4.1 below. The significance of such a procedure is discussed in Chapter Seven.

The legal obligation to consult on the policies gives some answers to questions of what groups initiate policy and who is served by it (Horwitz, 1989). Initiation in this case was by the Minister, but was then amended by parliament. Therefore, it became an integrative activity as all sections of the general public were given an opportunity to participate in the policy formulation process. The process implies that when policy is finally made, there is a possibility that it would reward the whole society (see Chapter Two). In PBS, this would be achieved through the provision of programming that is free of any biases and interferences and therefore considered editorially independent and publicly accountable. An independent and publicly accountable broadcaster is capable of producing programmes and news that cater for the interests of all sections of the general population in a given country.

#### **5.4 SABC Draft Editorial Policy and Public Consultations**

In April 2003, the SABC board under the chairmanship of Dr Vincent Maphai released the draft editorial policy, saying that it was intended to guide the corporation in executing its public mandate and to make it editorially independent and publicly accountable. As a national public service broadcaster, it was argued, the SABC should create services that are relevant to all sections of the society. To be able to realise this, the corporation would need policies to both give guidance to the SABC staff and to clarify what the general public was entitled to expect from the national public service broadcaster (SABC Draft Editorial Policies, 2003). The draft policies covered programming, news, language, education, universal service and access, local content, and religion. Not all the policies were brand-new at the time they were released. Some had been in existence from as far back as 1995 and therefore needed to be reviewed so that they matched the mandate as set out by parliament in the amended law.

The SABC board called on the public for their comments on the draft editorial policies so that different views and voices could be considered when the final policies were being formulated (SABC Draft Editorial Policies, 2003). Copies of the policies were circulated at all SABC offices, national post offices, and online at the SABC website. The copies that were distributed through the SABC regional offices included detailed summaries in six official languages while those that were accessible on the SABC website were in all the eleven official languages (Hassen, 2004).

There was necessity for massive awareness if the corporation was to fulfil its participatory obligations of ensuring public participation in the formulation of the final editorial policies. In order to achieve this, the SABC placed full-page ads, summarising these policies and inviting people to comment in *Rapport*, *City Press*, *Sunday Sun*, *Beeld*, *Daily Sun*, *Ilanga*, *The Herald*, and *Daily Dispatch* newspapers (2004:8). Additionally, the corporation ran promotional programming on its different radio stations and television channels regarding the availability of the draft policies and the need for the public to comment.

The corporation also held public meetings in each of the nine provinces of the republic and it claimed that between 200 and 500 people attended each meeting (Hassen, 2004). During these meetings, the public had the opportunity to interact directly with members of the SABC board and top management. The comments on the draft policies had to be made in writing and either dropped off at the corporation's regional offices, emailed, faxed or posted to the public broadcaster's board by June 13, 2003.

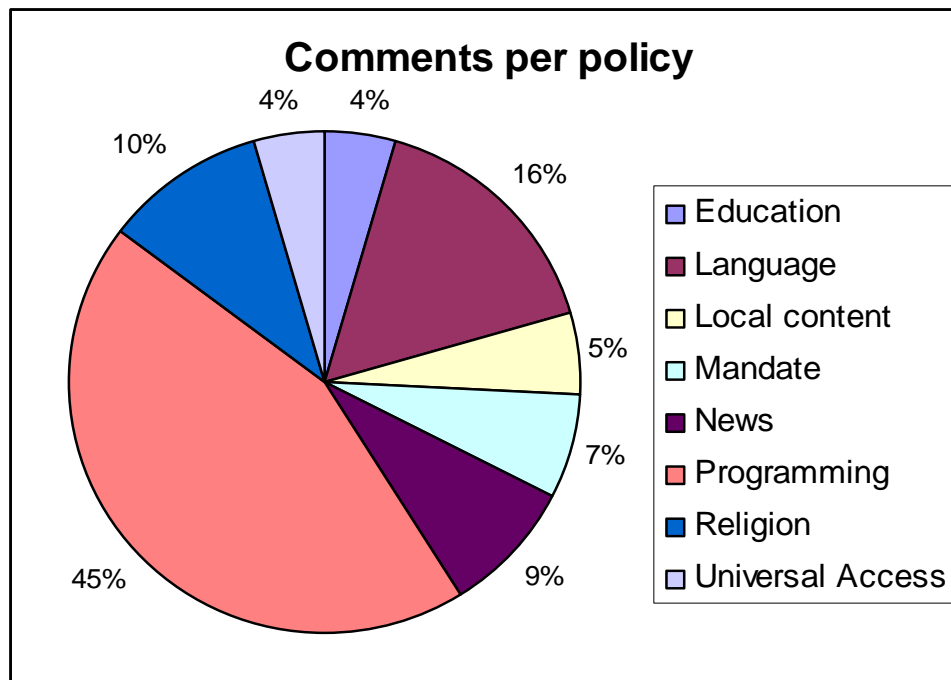
The board received 920 written submissions, 847 of which were from individuals and the remaining 73 from organisations (Hassen, 2004:11). The fact that individuals contributed the majority of submissions shows the importance of engaging the general public in formulating policy. However, it is not clear who these individuals that participated in the policy process were and which category of society they belonged to. For example, it is not clear whether they were journalists or viewers. This could, however, be an interesting angle for further policy research to establish who these individuals were and whether the final policies included their views or not. There were also organisations such as SACP, SANEF, FXI, MISA, Rhodes University Journalism and Media Studies Department, and the ANC that were the most active stakeholder organisations in reacting to the draft policies (discussed further in sections 5.4.1 and 5.4.2 below). These stakeholders raised different issues regarding the draft policies in relation to their (stakeholders) interests, so that in the end, the final policy ought to have reflected and benefited them all (see Chapter Two).

The policy on programming attracted the most number of comments with 600, totalling 45 percent of the submissions. The next policy to attract the highest number of comments was language (16 percent), followed by religion (10 percent). The other policies (education, local content, mandate, news, and universal access and service) received fewer than 10 percent each as table 5.1 below shows.<sup>5</sup>

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<sup>5</sup> The SABC's statistics are unclear since some submissions covered a wide range of policies. More research can be done regarding this issue.

**Table 5.1 Comments per Policy**



Source: Hassen (2004:11).

However, there were contentious issues that cut across the board such as editorial independence arising mainly from the reference to the Group CEO as Editor-in-Chief — the person who exerts editorial authority and control over, and bears responsibility, for the content of all the programmes (SABC Draft Editorial Policies, 2003; Berger, 2003). Others were upward referral, how far up and when, and the new post of Managing Director (MD) of News and Current Affairs.

#### **5.4.1. Upward Referral: How Far Up and When.**

According to the draft policy document, “any matter that could have major financial, image or public response implications is to be referred to, and approved by, the Group CEO” (SABC Draft Editorial Policies, 2003:7). A number of organisations that submitted their proposals to the board objected to this provision of upward referral that

automatically makes the Group CEO the Editor-in-Chief. Professor Guy Berger on behalf of the Journalism and Media Studies Department of Rhodes University thus wrote:

...the new provision to make the [Group] CEO into the Editor-in-Chief is potentially damaging to editorial credibility if it applies to News, Current Affairs and Information Programming...(2003:7).

The Media Review Network (MRN) described the procedure of upward referral as ‘repugnant’ since the Group CEO does not necessarily have to be a journalist or a trained person in news editing (Media Review Network, 2003). MRN further argued that upward referral is a means of taking away what are essentially the responsibilities of editors, which would be unhealthy and dangerous since it would erase the credibility of those who are seen to be in charge of the news (2003:2). They regarded this intended usurpation of editorial powers by the Group CEO as an insinuation that “journalists, especially at the SABC, cannot be trusted to make news judgements that are responsible and accurate, and suggest instead that the Group CEO and the board, who do not have to be journalists, are suited to make such judgements” (2003:3). In a nutshell, their argument conforms to the notion that editorial independence should not be compromised in any way if the public service broadcaster is to realise the ideals of PBS. (See Chapter Six for further analysis on this issue).

In line with MRN, the SACP, an ally of the ANC who were criticised by the party’s (ANC) top brass, argued that the mechanism of upward referral raised the spectre of an invisible censor with powers to unilaterally decide what is controversial. This, they observed, also blurred the necessary distinction between management roles and editorial roles, which could open the SABC to undue external commercial, political, religious and other influences.<sup>6</sup> These external influences could be forced on to the corporation by the Group CEO since he/she was not publicly nominated into office and might therefore not regard himself/herself as accountable to the general public.

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<sup>6</sup> Extracted from the SACP’s submission on the Draft Editorial Policies of the SABC of 2003. Accessed on December 15, 2004 from <http://www.sacp.org.za/docs/submission1.html>.

Editorial independence, as explained in Chapter Two, provides journalists and editors with the right to make decisions on the basis of professional criteria such as the relevance of the public's right to know. In this light, firstly, the upward referral thesis could unnecessarily delay the public service broadcaster from the dissemination of information to the general public. Secondly, upward referral is also a bureaucratic impediment that might deny programming to minority groups as journalists and editors have to consult upwards to ensure that the SABC does not broadcast programmes that could have "major financial, image, or public response implications" on the corporation. The point here is that programmes for minority groupings and those that could annoy advertisers or simply fail to attract them, can impact adversely on revenue, but yet such programming should be an indispensable staple in PBS practice. Thus, it was feared that a loss of editorial independence might emanate from the failure to separate business from news editorial considerations as the Group CEO sought to maximise advertising revenue against the background of the corporation being mainly financed from this income stream (see Chapter Four).

However, inasmuch as media-based civil society groupings and opposition political parties criticised what they saw as intended usurpations of editorial independence by the Group CEO, the ruling political party, the ANC, disagreed. It instead argued that the policy on editorial responsibility and upward referral was consistent with adopted international practice and commended the SABC for ensuring that the corporation followed global trends in matters of this nature.<sup>7</sup> The party recommended that the policy on upward referral should be retained and made applicable to all programmes.

Senior ANC figures such as Head of Communications Smuts Ngonyama wondered why upward referral should even be opposed by members of the "democratic movement" (SACP) since they were well aware that party members and supporters "sacrificed their

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<sup>7</sup> The ANC argument is extracted from the party's submissions to the SABC board on the draft editorial policies. It was accessed on December 16, 2004 from <http://www.anc.org.za/ancdocs/misc/2003/sabcpolicy.html>.

lives” to liberate the SABC from the apartheid regime (Ngonyama, 2003). His line of argument was that if upward referral to the head of the corporation happens at the BBC — the corporation with which the concept of PBS is most associated (see Chapter Two), why not at the SABC. However, the BBC editorial staffers do not refer upwards to a CEO, but, rather to the Director General who is the Editor-in-Chief. The Director General’s responsibilities do not include generating revenue since the corporation is license-fee funded.

Ngonyama (2003) further argued that those opposed to upward referral should be satisfied with the way the SABC arrives at its editorial decisions, and be certain that there is no invisible and unaccountable censor in the form of government. Therefore, they should be content that the ANC did not intend to make SABC less independent in making editorial and programming decisions or accountable to the government.

On the other hand, some party members such as the then Mpumalanga Province premier Ndaweni Mahlangu somewhat contradicted Ngonyama’s argument when he observed that there was a lot of similarity in the SABC draft editorial policies and the values that the government holds as ‘dear’. He insisted that daily upward referral was a justified practice as long as it involves matters that are critical to national security (N’wa Mhangwana and Arenstein, 2003). Such a position could compromise editorial independence since it is the government of the day that determines what is considered ‘critical to national security.’ This leaves the public service broadcaster in a manipulative environment regarding editorial content and other related programming.

This endorsement from the ruling political party could be said to conform to the often criticised special relationship between the ANC government and the SABC board as the members (of the board) are said to be sympathetic to the government when determining the corporation’s broad policy. After all, the party uses its majority in parliament in determining who is nominated to the board (see Chapter Four). This can lead to political influence through the board to the Group CEO, and further downwards to the editorial staff. This would compromise the concepts of editorial independence and public accountability in PBS.

The issue of referring to the Group CEO as Editor-in-Chief raised debates because could be seen as a strategy of denying editorial staff the freedom the Broadcasting Act (as amended) confers to journalists (see Chapter Six as well). This assumption of editorial responsibilities by the Group CEO created fears that the corporation might lose its editorial independence since it is not clear to what extent reporters are independent of their seniors (see Chapter Two).

The whole controversy was somewhat resolved in the final editorial policies with mandatory referral to the Group CEO becoming voluntary. However, the section of mandatory referral to the MD of News and Current Affairs, Heads of Radio News and Television News was refined in the final document. Instead of mandatory referral to the office bearers mentioned above, the final editorial policies chose the relevant heads of the programming area concerned. This is discussed in the next section.

#### **5.4.2 MD of News and Current Affairs.**

Another issue in the draft editorial policies related to upward referral, but was a distinct aspect in that it a new position in SABC was conceived in the draft policy document. The draft policies emphasised that the authority for editorial decisions should be vested with editorial staff. However, it identified issues that must be referred upwards to the MD of News and Current Affairs, Heads of Radio and Television News. This was termed as mandatory referral. The document identified the following issues:

- Any instance in which it becomes necessary and is deemed to be in the public interest to gather information to which the public normally does not have access
- Interviews with criminals and people wanted by police
- Any proposal to grant anonymity to anyone trying to evade the law
- Payment for information
- Broadcasting of any recording made originally for other legal purposes, such as a recording of the proceedings at a meeting
- Disclosure of the details of a serious crime that were obtained surreptitiously or unofficially

- Requests from external parties to view, listen to, or obtain untransmitted recorded material
- Commissioning of opinion polls

SANEF, MRN, SACP, FXI, Rhodes University Journalism and Media Studies Department, and the Democratic Alliance objected to this referral. SANEF argued that the responsibilities of the MD of News and Current Affairs appear to be primarily on the business side and that this individual reports to the Group Executive which includes Group CEO, CFO and COO<sup>8</sup>. The job of the MD of News and Current Affairs is not necessarily business related, however, and said instead by SABC to cover strategic leadership, focus and operational direction of news and current affairs<sup>9</sup>.

The Democratic Alliance, an opposition political party, commented that:

On the matter of upward referral, we believe it is simply normal that a hierarchy of authority must exist in a journalistic enterprise. A reporter is not the same as an editor, and editors have rank in turn. The buck stops with the Editors-in-Chief. But these should be journalistic staff, not management. Perhaps the solution is as simple as not referring to the [Group] CEO as Editor-in-Chief... (Hassen, 2004:19).

The FXI had suggested not the MD or CEO, but the Heads of News as the highest level of referral. The FXI thus recommended “that reference to upward referral, particularly as it turns the [Group] CEO into the Editor-in-Chief should be totally discarded. What we suggest is to have the highest level of referral being the Head of News for either television or radio or even SABC Africa depending on each case. [And] it should only be in highly exceptional cases that matters should be referred to the Heads of News” (Tleane, 2003:9).

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<sup>8</sup> Extracted from a Press Statement issued by Professor Guy Berger on behalf of SANEF regarding the organisation’s comment on the SABC Draft Editorial Policies. Accessed on February 10, 2005 from [http://www.sanef.org.za/press\\_statements/277577.htm](http://www.sanef.org.za/press_statements/277577.htm).

<sup>9</sup> Adapted from a statement issued by SABC Group CEO on the appointment of Snuki Zikalala as MD of News and Current Affairs. Accessed on February 14, 2005 from [http://www.sabcnews.com/south\\_africa/general/0,2172,78076,00.html](http://www.sabcnews.com/south_africa/general/0,2172,78076,00.html).

The final document placed voluntary upward referral into the hands of the Group CEO. However, compulsory referral was refined, making the relevant heads of programmes, not the MD, as the figures to whom mandatory referral on these topics is necessary.

### **5.4.3 Final SABC Editorial Policies**

In early 2004, the SABC board unveiled the final editorial policies that became effective on April 1 the same year. The policies are contained in a glossy 52-page booklet.<sup>10</sup> They include a policy on programming, language, universal service and access, local content, religious programming, education, and news, current and information. The booklet also contains the SABC's mandate, which includes sections of the charter, the corporation's editorial code and its core editorial values (see Chapter Four). It also gives the rationale for the editorial policies. This study does not focus on how the SABC board assessed the public feedback and the process it took in either refining or reinstating the policies. This is a topic that could profit from further research beyond the confines of this thesis.

According to Hassen (2004:70), the editorial policies were adopted by the SABC board to help staff negotiate difficult editorial issues and decisions to ensure that distinctive and compelling — even controversial — programmes can be produced and broadcast, while maintaining the highest ethical and editorial standards (see Chapter Four).

There were controversial issues in the draft policy that either remained unchanged or were simply refined. These include the decision to make the Group CEO Editor-in-Chief and the mechanisms of upward referral. However, as indicated above, references to the Group CEO were considerably softened although mandatory referral still existed (see Chapter Six). The new policy stated that editorial control rested with programme producers and commissioning editors and if they are unsure about any issue, they should consult their supervisors for guidance, which is voluntary. This voluntary upward referral can still be extended beyond the MD of News and Current Affairs and Heads of News to the Group CEO.

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<sup>10</sup> The SABC Editorial Policies can be accessed from <http://staticfiles.sabc.co.za/VCMStaticProdStage/CORPORATE/SABC%20Corporate/StaticDocument/About%20SABC/Editorial%20Policies.htm>.

Also, the final policies clarify that the Group CEO in his/her capacity as Editor-in-Chief is not responsible for day-to-day editorial decisions in either news or programming. However, the fact that he/she remains the Editor-in-Chief might compromise editorial independence. There is a possibility that the Group CEO might overlook this PBS concept (editorial independence) in a bid to attract more advertising revenue. It is also important to note that the Group CEO, although a member of the board, is not publicly appointed which means that he/she may not be in the best position to ensure that editorial decisions referred to him/her are compatible with the concept of public accountability. These issues will be discussed further in Chapter Six.

## **5.5 Conclusion**

This chapter has looked at the origins of the SABC editorial policy process, tracing it from the Broadcasting Amendment Bill to the Broadcasting Act (as amended). In between, it highlighted the politics of policy formulation, which included the parliamentary debates on how to come up with the best policy. In the end the amended Act did not approve the minister's attempted rationalisation that South Africa's public service broadcaster, the SABC, should be accounting to the Department of Communication. The chapter also looked at the SABC Draft Editorial Policy and the measures the corporation's board took to make sure that the general public were part of the process of formulating policy. This was seen as a way of making the corporation editorially independent and publicly accountable. It also looked at the final Editorial Policies and examined whether the board changed or just refined some of the controversial issues in the draft policy.

# **CHAPTER SIX**

## **ANALYSIS, INTERPRETATIONS AND DISCUSSIONS**

### **6.0 Introduction**

This chapter presents the analysis, interpretations and discussions emanating from the SABC's editorial policies. The chapter only deals with policies whose principles are directly related to the main themes of this study, namely editorial independence and public accountability. It does not therefore cover policies on universal service and access, local content, and education. It analyses, interprets and discusses the policies on editorial responsibility, upward and mandatory referral, programming, news (current affairs and information programming), language, and religious programming. In analysing, interpreting and discussing the policies, the chapter links them to relevant policy theories seen especially in Chapter Two and the necessary PBS concepts.

### **6.1 Editorial Responsibility, Upward and Mandatory Referral**

This policy on editorial responsibility, upward and mandatory referral was formulated to ensure that the public service broadcaster sustains and deepens “the trust the public have in the SABC” and therefore must “maintain the highest standards of performance” so that consistent, relevant, useful and high-quality programming is provided (SABC Editorial Policies, 2004:5). To be able to achieve this, the editorial staff should, voluntarily, consult upwards for guidance in case they are unsure of anything. The consultation is voluntary because the authority to broadcast, the editorial policies indicate, is vested in the editorial staff. This policy spells it out clearly that this process could extend as far as the Group CEO in his capacity as Editor-in-Chief.

However, as noted in the previous chapter, the policy becomes somewhat controversial as they entrust the Group CEO with the final say on editorial decisions by bestowing him with the title of Editor-in-Chief, thus making him/her responsible for “the performance of all news and other programmes, broadcast and presented on all SABC radio, television, internet and other multi-media platforms” (2005:5). This means that the editorial staff are

not entirely responsible for what is produced and broadcast on the public service broadcaster. This upward referral decreases the editorial independence of staff and could make it difficult for the public service broadcaster to account to the whole society, which would be a travesty of the functionalist ideal of policy (see Chapter Two).

There is also evidence that what the SABC Editorial Policies (2004) call voluntary upward referral is actually mandatory. This is done through a paragraph on Page Six which reads:

Even when specific editorial advice is not asked for, programmes or news items that are *controversial*, or likely to have an *extraordinary impact*, should be reported in advance to the senior news and programming executives. They, in turn, may decide to notify top management. *Should a programme producer or editor not refer an issue upward to their supervisor next in the line function, that programme producer or commissioning editor would be held responsible for the editorial decision so made* (2004:6). (Emphasis mine).

It is general knowledge that the most senior news executive in any news organisation public service, community or commercial is the Editor-in-Chief. So when a ‘controversial’ issue arises, even the Heads of News and the Managing Director of News at the SABC should consult the Group CEO who doubles as Editor-in-Chief. This in turn reduces the editorial staff’s independence. Kruger (2004:1) argues that the document would therefore have benefited from situating ultimate editorial authority clearly with the Heads of News where it belongs. This would not have then been interpreted as a deliberate attempt to take control of the SABC newsroom by the Group CEO, which in the end denies the corporation editorial independence and public accountability and affirms the policy’s character as one aligned to the power paradigm.

Also, the language of being “held responsible” is can be read as threatening as it is not clear what action will be taken in case an editorial staffer does not consult upwards. In this regard, this policy again accords with a power paradigm, a tenet of non public broadcasting service.

Furthermore, the policies say that producers and editors are responsible for what they broadcast, but they are “subject to standard management and editorial controls”. This final document does not spell out what these are and in this regard could be said to exhibit a chaos paradigm, and one that can serve the interests of power.

A similar character is evident in that the policy does not spell out what programmes or news items are likely to be “controversial” or even have an “extraordinary impact” on the corporation. Controversial might be news that a certain big advertiser might consider unsuitable for their business and an extraordinary impact might be programming or news items that might lead to a reduction in the advertising revenue (it may be noted that the SABC is mainly funded by revenue accrued from its advertising as discussed in Chapter Four). Since the Group CEO is tasked with the responsibility of making the corporation financially viable among other duties and responsibilities, editorial decisions and news policy in general might then be fashioned to suit the interests of business groupings other than the general public. This in turn makes the public service broadcaster editorially dependent and unaccountable to the whole society.

Additionally, by the time of writing this thesis, (2004 and early 2005), the SABC’s Editor-in-Chief was not a trained professional journalist, but rather a proficient businessman. It might therefore not be suitable for a person coming from outside the journalism profession to have the overall say in editorial decisions. This is because decisions made might overwhelmingly side with business interests rather than the interests of the general public. Programming for the minority — a stable ideal in PBS — might also be reduced in favour of programmes that attract the majority and advertising revenue. Editorial independence and public accountability might then cease to be the guiding principles when editorial decisions are being made.

The policy also specifies areas that call for mandatory referral. Although mandatory referral seems to stop with the relevant head of the programming area concerned, it should be noted that the particular head might “voluntarily” refer upwards (to the Group CEO), so that he/she is not held responsible for the decision made just in case the

particular item becomes “controversial” or causes an “extraordinary impact” to the corporation.

However, in line with this analysis, interpretation, and discussion in this section, this study would like to associate itself with the submission compiled by Professor Guy Berger on behalf of the Department of Journalism and Media Studies of Rhodes University in regard to the SABC Draft Editorial Policies (2003), the precursor to the SABC Editorial Policies (2004). Berger (2003) notes that:

The principle of upward referral is not objectionable as such, except when it moves out of the terrain of those individuals charged with purely editorial considerations. The editorial decision-making buck should stop at the level of top editorial staff. These individuals must be trusted to use their editorial judgement, and they must also be accountable for their relation to these policies. In cases that cannot be resolved within the SABC, this accountability should allow for the supreme arbiter to be the board (2003:8).

It is against such an informed background that upward referral at the SABC, whether voluntary or mandatory, should not be extended to the Group CEO. The same applies to the MD of News and Current Affairs, since he/she is in charge of strategic leadership and operation of the news and current affairs department. Any type of referral, therefore, should not go beyond the top editorial decision makers. In case of news for example, this should be the relevant Heads of News. This would be the most suitable way of making this kind of referral “a mutually empowering, nurturing, and developmental approach for all the staff involved”, as the SABC Editorial Policies (2004:5) suggest.

## **6.2 Editorial Policies**

In this section, policies on programming, news, language, and religious broadcasting will be analysed. Policies on universal service and access, local content, and education are deliberately left out. This is because the latter — though necessary for fully fledged public service broadcasters — are not sufficient if they are not accompanied by the main themes of this thesis. The policy on religious broadcasting is included since it seems to represent the diverse interests of minority groupings. In analysing, interpreting and

discussing the selected policies named above, some sections of these policies will as well be left out. The policy on programming is analysed first.

### **6.2.1 Programming Policy**

This policy seems to somewhat conform to the ideals of PBS as it is guided by principles such as the aim to meet the needs of all audience segments (SABC Editorial Policies, 2004:7). This means that marginalised and minority groups should all be catered for when programming and news decisions are being made. This is a functionalist approach as it portrays the public service broadcaster in terms of the whole and therefore as independent from the majority, or a single minority, and as accountable to all. This is seen when the policy spells out clearly on Page Seven that the desire to meet the needs of all audiences “forces” the SABC to commission programming for the “young and old, urban and rural in all the provinces, speakers of all the official languages, and people of every religious persuasion” (2004:7).

The issue of language, as will be discussed later in subsection 6.2.3, is very important in PBS since it is practically impossible for the SABC to fulfil its public mandate of serving the whole public without broadcasting in all the official languages. Producing programmes “for everybody”, as this policy spells out, is one of the ways through which a public service broadcaster is identified as distinct from a commercial, community or government broadcaster. Additionally, catering for every single element of the audience means independence in editorial decision-making and the desire to see to it that the public service broadcaster serves the general public.

On matters regarding taste and decency, the programming principle of advance warnings is in line with the ideals of PBS. Some sections of the population might find acceptable what others consider indecent. The SABC’s policy is to give adequate warning beforehand when they believe the material to be broadcast may upset some sections of the general public. The policy also clarifies what should be expected of an independent public service broadcaster by stating that:

Although the SABC makes every effort to minimise what audiences might find distasteful or tasteless, the public broadcaster does have to deal frankly with controversial topics and cannot avoid tackling issues because of the risk of offending certain people (SABC Editorial Policies, 2004:8).

If such a policy is implemented and the concerned material broadcast is not simply aired to attract the majority (or a wealthy minority) and the adspend that comes with it, the broadcaster may then be considered independent. In addition, in the sense of the idiom of “proof of the pudding is in the eating”, the programming mix would demonstrate accountability. Such a policy is also in line with freedom of expression as guaranteed by the South African constitution and the right to receive and impart information.

The programming policy also looks at groupings that often feel marginalised such as those structured along the lines of disability and gender. The policy ensures that the public service broadcaster should promote access to its services and programmes and ensure that the representation of people with disabilities in the corporation’s programming is fair. On matters regarding gender, the policy stresses that the “SABC undertakes to strive to ensure that its programming...does not promote violence against women, depict women as passive victims of violence and abuse, degrade women and undermine their role and position in society, promote sexism and gender inequality, and reinforce gender oppression and stereotypes” (2004:12).

Such principles in this programming policy are in agreement with the ideals and best practices of PBS since programming that is in line with the above values conforms to the concept of public service. Public service broadcasters include the voices of the minority and marginalised in the whole society. Such policies, if implemented, define broadcasters like the SABC as genuine public service broadcaster.

As explained in the preceding chapters of this thesis, reacting to complaints by the public is one of the several ways through which a public service broadcaster accounts to the general population. This distinction further identifies a public broadcaster like the SABC from other broadcasting players in the industry. Indeed the policy on programming tackles the issue of dealing with programme complaints (SABC Editorial Policies,

2004:16-18). The corporation's policy is that responses should be prepared in consultation with, or communicated immediately to, the management of the channel/station (see Chapter Four for the complete list of channels/stations owned by the SABC) concerned, or the relevant head of SABC News. Such a policy falls within the PBS concept that of public accountability. When the public service broadcaster reacts to the complaint furnished by a stakeholder, it shows that the corporation accounts to the general public.

However, the policy on programming has its own contradictions especially if looked at in respect of the general policy on editorial responsibility, upward and mandatory referral. Although it says the SABC provides a "home for programme makers that encourages them to innovate, take risks and develop their craft so that audiences may be given a rich diversity of top quality programmes", it stifles their (editorial staff) creativity as they have to refer upwards so that they are not held responsible in case material that is "controversial" and might have an "extraordinary impact" on the corporation is broadcast. As explained in the previous chapter, this could complicate the public service broadcaster's procedure of realising its public mandate by making it editorially dependent and unaccountable to the general public.

In addition, the policy in this section does not include principles regarding implementation and monitoring — unlike the counterpart section that deals with policy on language — which weakens it in terms of the policy theory issues covered in Chapter Two. The policy on news, which is discussed below, also lacks a section on implementation and monitoring.

### **6.2.2 News (Current Affairs and Information Programming) Policy**

News, current affairs and information programming arguably form the basis on which PBS stands. They are central to this concept, since it is especially through the news section that a public service broadcaster may be assessed as to whether or not it is editorially independent and publicly accountable. Decisions about news and related

programming in PBS should therefore incorporate a functionalist feature of benefiting all sections of the whole society.

This policy stresses the importance of providing general programming that caters for the general public. Such programming, the policy states, should reflect and show the country's entire demographics. It further stresses that to be able to achieve this, the editorial division should "uphold the highest editorial and ethical standards consistently and diligently" (SABC Editorial Policies, 2004:19). Such editorial and ethical standards include the ability to withstand any form of interference that is in contrast with the journalism profession. Such interference may emanate from political groupings such as government bodies, or from business, given the fact that the SABC accrues most of its revenue from advertisers. As the policy indicates, the principle of editorial independence for reasons mentioned above is fundamental to the operations of the public service broadcaster and very important to the functions of the SABC news division (2004:19). In addition, if such a policy is regarded with the esteem it deserves, an independent public service broadcaster can defend its editorial independence.

This policy also expands into the need for objectivity, accuracy, fairness, impartiality, and balance, all of which are indispensable if a public broadcaster like the SABC is to achieve editorial independence and public accountability. The policy here associates itself with the corporation's Editorial Code (see Chapter Four for further details) which spells out in part the importance of holding to the values of editorial independence. The policy thus states:

We do not allow advertising, commercial, political or personal considerations to influence our editorial decisions. The SABC is expected to provide information, and as part of this duty should evaluate, analyse and critically appraise government policies and programmes. The SABC is not the mouthpiece of the government of the day, nor should it broadcast its opinion of government policies, unless they relate directly to broadcasting matters (2004:20).

The principle above is directly in line with PBS norms such as editorial independence and public accountability which are central to this study. This principle tries to eliminate

elements of the power paradigm when government, dominant political parties, and business groups control policy as it is being formulated and eventually implemented.

Furthermore, this policy also highlights, firstly the need to avoid internal influences such as personal biases and prejudices by individual SABC news staffers and secondly, the need to resist external ones. This is stressed in the principle of the policy which states that “the staff may not allow their professional judgement to be influenced by pressures from political, commercial or other sectional interests” and therefore “SABC reporting should be, and be seen to be, accurate, fair, impartial and balanced” (2004:20). This section of the policy, if implemented, is a right step in the direction of PBS as it affirms the need for editorial independence and public accountability for the SABC in order to be fully regarded as a genuine public service broadcaster.

Also, it is important to note that South Africa is a unique young democracy with a history characterised by apartheid. The SABC, as seen in Chapter Four, was a tool used to enhance Afrikaner ideologies and dominate the majority of South Africans. Preserving present democratic principles is a challenge for the national public broadcaster especially by its editorial staff to ensure that the corporation is not used by anybody to score political, social and economic goals. The SABC has to cater for everyone and safeguarding such values is very important if they are to practically apply that principle of the policy.

This policy also has a section on economics and business news. This is important given the funding structure of the SABC. As seen already in Chapter Four, the corporation is primarily funded by revenue from advertising. However, in order to remain editorially independent and publicly accountable, the SABC has to conform to the values highlighted in this section of the policy. This section on economics and business news is reproduced below:

SABC News gives special attention to economics and business news aimed at informing and educating our audiences. Examples are business, commercial and labour laws; harmful business practices; effective ways of saving and spending

money; prices, inflation and other economic indicators, and how these affect our audiences.

In commissioning and broadcasting economics and business news, SABC news staff should ensure that a range of views, perspectives and opinions — not only the orthodox ones — are presented in a balanced, fair and accurate manner (SABC Editorial Policies, 2004:22).

Indeed, the editorial staff at the SABC have to be extra-vigilant to ensure that publicity and individual business opinions of the corporation's biggest advertisers and programme sponsors do not influence news and other related programming, as they might erode editorial independence thereby making it hard to account to the general public.

The policy also has a section on election broadcasts. It thus reads "...news decisions during election periods have, as is the case between elections, to be driven by the news judgement of our news staff, and take account of the need to ensure that attention is given to thorough examination of views, policies and campaigns of all the main political parties" (SABC Editorial Policies, 2004:25). Although this principle is generally in agreement with the norms of PBS, it seems to only scrutinise the interests of big political parties. This implies that the public service broadcaster could do a disservice to the followers of small parties. The SABC should strive to cater for the interests of minorities as this is one of the tenets of PBS. Also, catering for minority interests is a yardstick in determining how independent and accountable a public service broadcaster can be.

The policy on news also includes a principle that calls for restrictions on sponsorship of news, current affairs and information programmes. This, the policy says, is "to preserve the editorial independence and integrity of the programmes concerned" and to "ensure that editorial control of programmes remains with the broadcaster" (2004:25). It is also a legal requirement that editorial independence is not influenced by the presence of advertising and sponsorship as prescribed by the Broadcasting Act (as amended) of 2002. This principle is of value in PBS as, if implemented, it can deal with conflicts of interests that could arise out of the sponsorship mix. For the public service broadcaster to be regarded editorially independent and publicly accountable, it needs to broadcast news and

current affairs programmes that are free of any form of interference including the intrusion that might emanate from advertisers and programme sponsors.

### **6.2.3 Language Policy**

The SABC Editorial Policies (2004) include a section on language. Public service broadcasters worldwide are expected to produce programmes that cater for everybody. In countries with a common language, this might not be as difficult. But in most African countries including South Africa, the populations use a wide range of languages. Practically, the SABC would find it impossible to fulfil its public mandate without producing and broadcasting programmes in all the official languages of the republic.

As explained in Chapter Four, languages like Afrikaans were used by the apartheid regimes for political gain. It is against such a background that the post-apartheid SABC has to produce and broadcast programmes not only in the official languages but also in the “Khoi, Nama and San languages”, which form some of the minority groups in the country.

The language policy commits the SABC to being “the voice... of every South African” (SABC Editorial Policies, 2004: 26). This can be done through the implementation of the following principles:

- Provide a range of distinctive, creative and top quality programmes in all 11 official languages across our radio and television portfolio, and strive to reflect the needs of each language community in our programming
- Maintain distinct and separate radio services in each of the 11 official languages
- Treat all the official languages equitably on our television services
- Integrate South African Sign Language into broadcasting as a means of making programming accessible to people with hearing disabilities
- Strive to include other non-official languages spoken in South Africa, with particular emphasis on the Khoi, Nama and San languages

Such a functionalist approach to the use of languages is in line with the PBS concept of catering for the general public. Without employing such a policy, the corporation would find it impossible to claim public accountability and editorial independence since “language is fundamental to meaningful communication” (2004:27). Suffice to say, public accountability is not very practical if programming language is elitist or controlled by the powerful. However, producing and broadcasting programmes in all the official languages including the marginalised ones (those with hearing disabilities, the Khoi, Nama and San), which might not attract a lot of adspend, shows the desire for the public broadcaster to adhere to the norms of PBS notably public accountability. Public accountability is not possible unless programming is in line with the interests of all language speakers, and the policy on languages, if implemented, would bring the SABC — in line with other PBS principles — towards being a fully fledged public service broadcaster.

Unlike the policies on programming and news, the language policy has a section on how the corporation will monitor and implement it. This is a welcome gesture from the board and shows the commitment the public service broadcaster has in ensuring that it realises the concepts of editorial independence and public accountability in PBS. This commitment is also shown at the start of this section where it is written that “this language policy lies at the core of our public service mandate as the public broadcasting service in South Africa” (SABC Editorial Policies, 2004:33). As discussed earlier in this chapter, there is no way a public broadcaster can fulfil its PBS obligations without broadcasting in languages that are understood by both the majority and the minorities.

#### **6.2.4 Religious Broadcasting Policy**

Religious broadcasting seems to be one of the criteria by which a public service broadcaster like the SABC in this case can be judged on whether it fulfils its public mandate or not. In most countries, there are a number of religions, and some of which are minor without large followings. Nevertheless they have to be represented when commissioning and producing religious programmes for the public broadcaster if such an organisation is to fully realise its PBS obligations and be considered editorially

independent and publicly accountable. Such a backdrop paves the way for the analysis, interpretation and discussion of the SABC's religious broadcasting policy.

This policy accords to a large extent with the views of the liberal pluralism and the power-of-the-dominant paradigms. Although it sounds functionalist at the beginning when it reads that "as the public broadcaster, the SABC has an obligation to provide religious programmes and to broadcast religious material in a manner that is unbiased and representative of South Africa's religious plurality", it shifts into the opposite in the subsequent paragraphs and sections. For instance on Page 45, it says that the "SABC's religious programming should...reflect South Africa's major religions". This is contradictory to the earlier statement seen above. As a public service broadcaster, the SABC should strive to include minor religions and even the atheist case in its programming. Catering for main religions rewards the elite and the dominant faiths, which makes it hard for the corporation to remain independent and accountable to the general public. As explained in Chapter Two, the dominant have the power to define issues and processes to adopt policy, and to either enforce it or not and therefore the powerful (elite and dominant) tend to benefit more than others when policy is made. This means that the main religious groups are most likely to get a big share of programming on the SABC, which undermines PBS ideals of public accountability.

In justifying its orientation to paradigms of the elite and power of the dominant, the SABC Editorial Policies (2004:45) categorically indicate how they are committed to sidelining the minor religious groups. This can be seen in the following quotation:

In achieving its religious programming mandate, the SABC provides both faith specific and multifaith programmes. Faith specific programmes should give the major religious groups the scope to celebrate their life of faith and understanding of the Divine fully and without censure. Multifaith programmes are in addition to faith specific programmes and should promote religious dialogue, respect and understanding among all the religious groupings in South Africa. The vehicles for delivery of religious programmes are the radio stations and TV channels in the SABC's public broadcasting portfolio (2004:45).

It could possibly be understood if such a principle applied only to commercial channels and stations, as they have to provide programming that attracts large audiences and the adspend that comes with it. But the principle in the PBS channels makes it hard for the SABC to remain editorially independent and publicly accountable in its PBS functions, as it skews the corporation to cater for the main religious groupings at the expense of the minority ones.

The policy on religious broadcasting also gives prominence to only five major religions namely Christianity, African Religion, Islam, Hinduism and Judaism (2004:45). Religious programming for South Africa's public service broadcaster is guided and informed by these religions which form the Religious Broadcasting Panel that advises the SABC board and top management in allocating airtime for the various religious programmes and also in reviewing this very policy and how the panel should be composed. "There are at least two members from each of the five major religions in South Africa" on this panel. This could explain the reasons why this policy is elitist which is objectionable in PBS matters.

For the SABC to realise its public mandate and be considered a genuine public service broadcaster, it should be able to stick to the values of PBS seen already in preceding chapters. Elitist policies like this one on religious broadcasting cannot therefore, make the SABC editorially independent and publicly accountable to the whole society.

### **6.3 Conclusion**

This chapter presented the analysis, interpretations, and discussions of the SABC Editorial Policies (2004). It specifically dealt with only those policies whose principles are of relevance to this study. The policy on editorial responsibility, upward and mandatory referral was analysed first, and followed by sections on programming, news (current affairs and information programming), language, and religious programming. In analysing, interpreting and discussing these policies, the chapter reflected back on the policy theories and PBS concepts of editorial independence and public accountability

discussed in the previous chapters of this thesis. As explained above, this thesis only deals with editorial and public accountability issues in PBS. The following chapter discusses the recommendations of the study and conclusions of this thesis.

# **CHAPTER SEVEN**

## **RECOMMENDATIONS AND CONCLUSIONS**

### **7.0. Introduction**

This chapter makes certain recommendations emanating from the whole study and presents concluding remarks. It deals with recommendations which are considered vital if the SABC is to fulfil its public mandate and serve and account to the general public. The recommendations relate to the main themes of this study which are editorial independence and public accountability in PBS. Recommendations are presented first in section 7.1. The chapter then identifies areas for further research, the significance of the study in terms of policy and PBS theory and it ends with concluding remarks.

### **7.1. General Recommendations**

As seen in the preceding chapters, there is need for editorial independence if a public service broadcaster is to account to the general public and therefore fulfil its mandate. Upward referral should not be extended to the office of the Group CEO, nor to the MD of News, but rather to the relevant Heads of News. The Group CEO should be left to deal with broad business strategy of the corporation and should not interfere in key editorial decisions. News editorial decisions should be made by key editorial staff, not business top management. The position and/or title of Editor-in-Chief should be shared among the relevant Heads of News.

In addition, the board should come up with clear guidelines on how the programming and news (current affairs and information programming) policies should be implemented, monitored and reviewed, in the same way it has done with policies like religious broadcasting. The SABC's current policy document is blank on how the corporation will achieve its objectives regarding programming and news policies, which might be interpreted as being non-committal on how editorial independence and public accountability issues will be realised. It should be noted that these two policies are perhaps the heart of PBS. This study therefore recommends that the SABC board address

the matter so that the editorial staff are well guided in executing their daily professional responsibilities. These principles should include the training of editorial staff because without adequate knowledge and understanding of policies, and without sufficient skills to implement the guidelines, the policies could become a dead letter (Berger, 2003:2).

This study also recommends that the SABC board should come up with two different policies to guide its two separate divisions. As seen in Chapter Four, the SABC is being divided into PBS and CBS divisions. The CBS division is primarily responsible for generating revenue for the PBS channels. It is practically impossible for the commercial division to follow the same policies as the PBS division. For example, commercial channels cannot be “the voice of every South African” as they usually have to attract audiences that fall into the highest Living Standard Measure (LSM)<sup>11</sup>. These audiences attract more adspend than those in the lowest LSM. Separate editorial policies for the two divisions would eliminate controversies that might arise when the commercial channels fail to properly account to the general public.

In line with the above recommendation, SABC Africa should also have separate editorial policies as it falls in neither the PBS nor the CBS portfolio. Since it is aimed at the rest of Africa and seeks to tell African stories, this channel cannot “encourage the development of South African expression by providing programming, in the official languages [of South Africa], a wide range of programming that reflects South African attitudes, opinions, ideas, values and artistic creativity, ...[and] offers a plurality of views and a variety of news, information and analysis from a South African point of view...” (SABC Editorial Policies, 2004:2). If SABC Africa were to fulfil this section of the mandate, it might be viewed by its audience, as a channel that promotes xenophobic and anti-Africa

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<sup>11</sup> The South African Advertising Research Foundation’s LSM is considered the most widely used marketing research tool in Southern Africa. It divides the population into eight LSM groups, Eight (highest) to One (lowest). LSM-Seven and LSM-Eight are divided into Low and High respectively. It is a unique means of segmenting the market under study as it cuts across race and other techniques of categorising people, and instead groups people according to their living standards using criteria such as degree of urbanisation and ownership of cars and major appliances. Accessed on January 31, 2005 from <http://www.saarf.co.za/lsm.htm>.

sentiments in its programming. SABC Africa cannot therefore account to the general public of South Africa. Its news and related programming should reflect attitudes, opinions, ideas, and values from African points of view.

In addition to the recommendation above, there needs to be more attention to issues of how SABC relates to the different media platforms (Berger, 2003). The policies do not adequately cover, for instance, internet and cellphone delivered content as seen on Page 19 (news policy) where it is more emphasised that policy applies to radio, TV and SABC Africa. There is a need for an all-inclusive policy that applies with relevant nuances to all the platforms operated by the SABC.

In drafting the policies, the SABC ignored the need to include a watershed for radio. A watershed for radio, like the one for television (see Chapter Six), could help the public, for example, on guiding young listeners about programmes that are suitable for them. Although the code of conduct for broadcasters does not spell out the need for a radio watershed, the board should have come up with one since the corporation considers radio to be more pervasive than television (2004:9). This is underlined by the fact that the majority of SABC's audience (an estimated daily listenership of 19 million) are people who listen to its 18 radio portfolio (SABC Corporate, 2004).

As discussed in Chapter Six, the religious programming policy is elitist. It only caters for the so-called five major religions. It ignores the small religions, yet PBS is supposed to be independent of dominant forces. There is a need for religious broadcasting policies that cater for every religion if the SABC is to be considered editorially independent and publicly accountable to the whole society.

## **7.2. Need for Further Research**

This study dealt specifically with policies whose principles are directly related to the concepts of editorial independence and public accountability in PBS. These policies were analysed in Chapter Six using the qualitative research method of document analysis (see Chapter Three).

The study did not intend to find out whether the SABC implements these policies or not. That this was not the aim of the study provides an opportunity for further research so as to establish the degree to which the policies could be regarded as a success or failure. As noted in Chapter Two, implementation of these policies is the yardstick to measure to what extent South Africa's public service broadcaster realises the concepts of editorial independence and public accountability.

### **7.3. Significance of Study for Policy Theory and PBS Theory**

This study collected and presented detailed information about the SABC, as its case study and the corporation's editorial policies. It looked at the SABC as an individual public service broadcaster, drawing conclusions only about it (SABC) and only in that specific context. The study did not focus on the finding of a universal 'generalisable' truth. However, as a 'case', some broad points of wider relevance can be noted.

The study has signified the need for the integration of policies in PBS that ensure that the public broadcaster adheres to the concepts of editorial independence and public accountability (See Chapter Two).

In the process of formulating policy, the study has emphasised, boards of public service broadcasters should ensure that the ideals of the functionalist and participatory paradigms are conformed to. This is to ensure that the tenets of liberal pluralism and power paradigms are downplayed so that in turn general programming caters for the needs of the general public (see Chapter Five). It also highlighted the importance of creating realistic policies, which are applicable in the particular country in which the public service broadcaster operates.

One implication of this is that SABC formulates its own unique policies that ensure greater editorial independence and public accountability, rather than relying on international 'role models' such as the BBC. Adopting policies such as upward referral that could be extended up to the Group CEO, simply because it happens at the BBC, may

not be justifiable given the fact that South Africa is a relatively young democracy with a public service broadcaster built on a different (funding) model.

#### **7.4. Conclusion**

Generally, this study focussed on providing an understanding of editorial independence and public accountability issues in PBS. This was done through the provision of relevant policy, PBS, and editorial independence and public accountability theories. The study went on to analyse, interpret, and discuss the SABC Editorial Policies (2004) explicitly looking at those policies of relevance to the main themes of this thesis. A certain number of points were identified and elaborated on as recommendations the SABC board should find vital if the corporation is to fulfil its public mandate and therefore be considered editorially independent and publicly accountable. One of such point is the recommendation on the principle of editorial responsibility, upward and mandatory referral which should not be extended to the Group CEO. The study also recommended that the Group CEO should not be bestowed on with the title of Editor-in-Chief. There are several other recommendations which need to be considered if the corporation is to become editorially independent and publicly accountable to the general public. The study also appraised the value of this thesis and identified potential areas of further research.

Apart from the policy on editorial responsibility and upward referral, the final document indicates that the SABC board is to review its policies on programming, news, and religious broadcasting every five years. This study therefore, generated new insights and perspectives considered vital for future policy processes. These insights and perspectives could further help the corporation in creating a participatory and functionalist environment while formulating policy.

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