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**THE CONTRADICTIONS OF BROADCASTING REFORM
IN POST-APARTHEID SOUTH AFRICA**

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ABSTRACT

This paper examines the process of mass media reform in South Africa during the 1990s, with particular reference to broadcasting. It identifies tensions between the attempt to restructure broadcasting as a public sphere capable of supporting national unification and democratization and i). the existence of socio-economic differentiation and cultural diversity at sub-national scales; and ii). the pressures which impinge upon the broadcasting sector as a result of policies aimed at internationalizing the South African economy. The formulation of broadcasting policy between 1990 and 1995 is reviewed, and the changes that have taken place during the implementation of restructuring and re-regulation from 1996 to 1998 are critically assessed. The paper concludes that the intensified commercialization of broadcasting is at odds with political objectives of transforming the mass media into a public sphere supportive of a diverse and independent civil society.

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Media globalization and nation-building

The contemporary globalization of economic processes is often presented as undermining the ability of national governments to manage and regulate the economic activities located within their territorial jurisdictions. Rather than presenting an opposition between a globalizing market and the nation-state, it is more appropriate to conceptualize a restructured nation-state as playing an active part in promoting those processes routinely subsumed under the convenient rubric of 'globalization' (Weiss 1997). This alternative perspective on globalization is illustrated by the case of the media and telecommunications industries. In recent years, a series of global media and communications corporations have been formed through mergers and acquisitions. This concentration of ownership has been in turn associated with increasing convergence between the media and telecommunications technologies. Far from being a natural outcome of a self-generating process of inevitable economic evolution, the globalization of media and telecommunications industries and markets has depended on specific institutional conditions. Foremost amongst these has been the widespread shift from state regulation to market regulation in the 1980s and 1990s. This has been facilitated by state policies promoting the commercialization, internationalization, and sometimes the privatization of industries and institutions previously constrained in the scale of their operations by specified public service considerations and overseen by particular forms of regulatory regimes. The state has therefore played a constitutive role in shaping the processes of restructuring which have led to the emergence of a trans-national media system (Mosco 1996).

The media and communications industries are central to the contemporary reconfiguration of political and cultural processes in two ways. Firstly, mass media technologies and institutions serve as the medium of democratic communication and citizenship (Garnham 1992). Different ways of financing, organizing, and regulating the production and distribution of culture, information, and knowledge have consequences for the range and diversity of discourses and representations which circulate in and are accessible through the mass media. The processes of concentration, convergence, commercialization, and de-regulation which underlie the globalization of media economies have potentially negative implications for pluralism of access and the diversity of representations in the media. Secondly, the individual and group identities upon which political mobilization is founded are increasingly formed using symbolic materials produced and circulated by modern mass media and communications technologies (Thompson 1995). The new scales at which media economies are organized is often interpreted as threatening to erode the ability of national governments to regulate media and communications in the interests of national economic priorities and as a medium for national citizenship. The globalization of media and communications therefore represents a challenge to current understandings of the scales at which processes of political participation and identity formation can be articulated together. This paper explores the “re-scaling” of economic, political and cultural practices in a period of rapid globalization by critically examining the processes of media reform in South Africa since 1990 (Swyngedouw 1997).

Broadcasting in South Africa has not historically provided a common space for public communication. Radio services have historically been used to reproduce notions of separate and distinct populations, with their own separate cultures, living in particular geographical spaces. Television, only introduced in the mid-1970s after bitter disputes within the ruling National Party (NP) over its possible deleterious effects (see Nixon 1994), was tightly controlled by the state and explicitly organized along the lines of separate services for black and white audiences. The South African Broadcasting Corporation (SABC) has dominated broadcasting, and up until the early 1990s it served as the mouthpiece for the National Party's apartheid ideologies. In the 1990s, the broadcasting sector has been reconfigured around the normative ideal of the electronic media serving as a single public sphere at a national scale, providing a space for democratic communication and national unification. During this period, public service broadcasting and its practicability in the South African context have been reconceptualized (Mpofu et al 1996; Teer-Tomaselli and Tomaselli 1996; Teer-Tomaselli 1998).

South Africa is not the only example of the attempt to shape media policies with the aim of ensuring collective stability, political order, and national identity through the use of public communication systems. Such policies presuppose a congruence between the scales at which economy, polity and culture are organized (Collins 1990). However, these assumptions, which have historically underwritten notions of public service broadcasting, are under intense pressure internationally. National unity as the normative ideal of broadcasting and telecommunications policy has come under increasing strain due to a complex combination of technological change, shifts in regulatory policies, corporate restructuring, and the globalization and de-territorialization of cultural identities (Morley and Robins 1995). Policy-goals of integration different social groups 'vertically' into a single nation-state are

increasingly in tension with the 'horizontal' integration of individuals and social groups across national boundaries that trans-national systems of production, distribution and consumption of cultural commodities has facilitated (Collins 1991). In fact, processes of economic and cultural globalization have various potential consequences for patterns of identity formation: they might lead to the erosion of national identities; they might strengthen defensive national or exclusivist local or regional identities; or they might facilitate the development of new forms of syncretic, hybridized, and less territorialized identities (Hall 1992). In South Africa, one can observe traces of all three tendencies. With the end of apartheid, however, the dominant political imperative since 1994 has been to find new ways of building and promoting an inclusivist model of political integration which combines diversity within overall norms of unity. At the same time, there has been a steady drift towards a neo-liberal economic policy which prioritizes integration into international networks of commodity production and distribution. In the print media, broadcasting, and telecommunications sectors, domestic markets have been opened up to penetration by foreign capital for the first time. While this strategy of internationalization brings with it the likelihood of increasing regional, sectoral and socio-economic inequalities across and especially within nation-states, the strategy simultaneously involves a relinquishing of certain traditional instruments of economic policy and management and therefore diminishes the abilities of national governments to manage these social tensions and contradictions.

Within both policy-making forums and broadcasting institutions in South Africa, understandings of the relations between the media and democracy have been tied closely to the rhetoric of nation-building. There are three broad understandings of this connection between broadcasting and nation-building. Firstly, there is the notion that radio and television can be used to disseminate symbolic representations of national unification and

reconciliation. Secondly, the media and communications sectors are seen as being highly important strategic sectors in the process of economic development and reconstruction. Thirdly, the mass media have been identified as having a crucial role to play in extending processes of democratic participation. In the African National Congress's (ANC) blue-print for post-apartheid transformation, the Reconstruction and Development Programme (RDP), democracy is conceptualized as being based in large part on widespread popular participation in decision-making processes. This was seen as necessitating a democratic communications and information policy, which envisaged a central role for a transformed media and communications system in the extension of democracy (ANC 1994, pp. 133-135). These three notions of the relations between mass media and nation-building have not equally informed policy implementation. The role of the mass media in disseminating appropriate representations of national togetherness which also reflect South Africa's cultural diversity has been given high priority since 1994. This symbolic notion of nation-building dovetails with an instrumentalist conception of the relationship between the mass media, diversification, and democratization. Given the history of monopolistic broadcasting and an oligopolistic print media in South Africa, the ANC has equated democratization with the introduction of more competition and the entry of so-called 'black empowerment' capital into the print and broadcasting media (Tomaselli 1997).

The period since the 'liberation election' of 1994 have seen a dramatic upheaval of the broadcasting environment. This has primarily involved the transformation of the South African Broadcasting Corporation (SABC) from a state-controlled broadcaster into an independent public service broadcaster. A new independent regulatory body, the Independent Broadcasting Authority (IBA), has overseen the transformation of broadcasting. This process has also provided the opportunity for the entry into this field of a number of new private

sector interests. There have been rapid changes in programming formats on both radio and television (Maingard 1997). The period since 1994 has also been characterized by the embrace by the ANC-led government of a neo-liberal economic agenda aimed at re-inserting South Africa into the international economy. The treatment of the media and telecommunications industries as part of this strategy has had significant consequences for the path of broadcasting reform. The political and cultural considerations which follow from treating the media as essential to the maintenance of the public sphere imply an orientation towards national and sub-national scales of organization and the creation of a robust and independent regulatory regime for broadcasting. On the other hand, the economic treatment of media and communications implies an orientation towards the international economy, and a shift in the approach to broadcasting regulation. The attempt to construct a media system capable of sustaining a pluralistic national identity and equal access to information does not necessarily sit comfortably with the imperatives which follow from considering the media and communications industries primarily as part of a general economic strategy of reconstruction and development.

Formulating broadcasting policy

The early 1990s witnessed a series of intense debates over the future role of the mass media in South Africa, with various interests developing positions on issues such as the future role of the SABC, the need for independent regulation, and the financial basis of a restructured broadcasting system (Louw 1993). These positions evolved during a period when the National Party was endeavoring to unilaterally restructure the SABC prior to any political settlement. In response to these efforts, three broad tendencies emerged in broadcasting debates during the period from 1990 to early 1992 (Horwitz 1996, pp. 42-43). Firstly, a

number of civil society groups on the left, including representatives of trade unions, church organizations, academics and lawyers, argued for a strong public service broadcasting sector, as part of a pluralistic broadcasting environment regulated by an independent agency which would guarantee diversity by extending the scope for both commercial and community broadcasting (Jabulani 1991). Secondly, representatives of existing and prospective private commercial broadcasters argued for a more thoroughgoing de-regulation of broadcasting and for greater commercialization. Finally, there was a more centralist, statist position with strong support within the ANC, which mistrusted moves towards re-regulation as attempts to deny any new government the same media power available to the outgoing one. Internal debates within the ANC culminated in the publication of a Media Charter in January 1992 (Teer-Tomaselli 1993). Reflecting the ascendancy within the ANC of the pluralist position promoted by the civil society organizations, the Media Charter recognized the right to receive and disseminate information as a basic requirement of democratic citizenship and participation, and established a commitment to an independent public service broadcaster regulated by an independent body (ANC 1992).

During the 1990-1991 period, there emerged a broad consensus on the principle of establishing an independent regulatory authority to oversee the transformation of the mass media. This was also a primary recommendation of the government appointed Task Group on Broadcasting in South and Southern Africa which reported during 1991 (RSA 1991). Thus, when during political negotiations at CODESA (Convention for a Democratic South Africa) in early 1992, one of the few concrete issues settled was agreement to the principle of an independent regulatory authority for broadcasting and telecommunications. When multi-party negotiations resumed in 1993, the technical committee charged with working out the details for an Independent Telecommunications Authority decided to separate telecommunications

from broadcasting and put it to one side. This decision was made in the light of “the need to create independent broadcast regulatory mechanisms as a matter of urgency”, since elections were now imminent.¹ This decision did not preclude the merging of broadcasting and telecommunications regulatory structures at a future date. As a result, an Independent Broadcasting Authority Act was passed by the Transitional Executive Authority in October 1993 (RSA 1993).

The IBA Act was the product of the political consensus that had emerged on the need to ensure that broadcasting be taken out of control of cabinet ministers, and made independent of direct government interference. The IBA is meant to establish an institutional framework which secures a plurality of independent broadcasters. This implies both the deconcentration of media industries and the separation of media from the state. The IBA Act provides for the regulation of broadcasting to “promote the provision of a diverse range of sound and television services on a national, regional and local level which, when viewed collectively, cater for all languages and cultural groups and provide entertainment, education and information”. There is a strong emphasis upon regulating the market for broadcasting services in the interest of viable competition and diversity, by limiting cross-media ownership and encouraging ownership of broadcasting services by “historically disadvantaged groups”. But the IBA Act is also shaped by the political compromises of the period of negotiated transition which brought apartheid to an end. Most significantly, the IBA Act entrenched the rights of existing broadcasters. The IBA is bound by its founding legislation to “protect the integrity and viability of public service broadcasting services”. This effectively translates into a responsibility to protect the financial viability of the SABC. And the IBA Act also guaranteed the existing broadcasting rights of the most important broadcaster after the SABC, M-Net, the private subscription television station set up with government agreement in the

1980s by the major Afrikaans and English-language press groups. The IBA's terms of reference mean its ability to re-regulate the broadcasting system has been significantly constrained by the entrenchment of these existing interests.

The actual transformation of broadcasting could not proceed before the completion by the IBA of inquiries into three related issues: the means of protecting the viability of the public broadcaster; limitations to cross-media ownership; and local content quotas on South African radio and television. The ensuing 'Triple Inquiry' was a model of the new spirit of openness and consultation, although the extent of popular participation in the process tended to be rather limited (Martinis 1996). The two main issues facing the Triple Inquiry were how much of the broadcasting market the SABC should be allowed to control in the future, and the related question of how a transformed SABC should be financed. Most groups who made submissions during the Inquiry agreed that the SABC should be significantly stream-lined in order to open up space for new entrants. There was also widespread agreement that the SABC should reduce its dependence on advertising revenue. From the perspective of commercial broadcasters, the SABC took up too much of the available share of advertising expenditure, and thus restricted the potential growth of new broadcasters. Commercial broadcasters and advertisers sharply differentiated public service broadcasting from commercial broadcasting. For them, public service broadcasting should be the sole responsibility of a non-commercial broadcaster delivering educational, religious, and cultural programming which was not financially viable for commercial broadcasters; commercial broadcasters should be freed from public service obligations to concentrate on their main task of delivering audiences to advertisers and profits to shareholders. In its submissions to the Inquiry, the SABC also worked on the assumption that public service broadcasting obligations were not likely to be imposed on new commercial entrants. It presented a centralist conceptualization of public

service broadcasting as the responsibility of a single, national public broadcaster. For the civil society organizations, the SABC's continued reliance on advertising revenues compromised its new public service mission. These groups conceptualized public service broadcasting as a set of obligations and responsibilities that extended to all broadcasters, including private commercial broadcasters. Given the likelihood that the SABC would continue to depend at least to some degree on advertising revenues, the failure to extend public service broadcasting provisions to new commercial broadcasters would put the national public service broadcaster at a serious competitive disadvantage, and thus threaten its long-term financial viability.

In contrast to the SABC's centralist model of public broadcasting, a more pluralistic, diversified, and regionally decentralized conceptualization of public service broadcasting was presented by the influential 'Group of Thirteen' civil society groups. The Group of Thirteen represented community broadcasters, trade unions, churches and other organizations on the left who had been at the center of campaigns for media reform since the early 1990s (see Currie and Markovitz 1993). The issue of the scale at which public service broadcasting should be organized was in turn related to issues of cultural diversity, language, and the balance of power between national government and provincial authorities. A range of arguments were aired in favor of developing regional and provincial broadcasting services. The Group of Thirteen proposed that both provincial public broadcasting systems and community broadcasting at a local level be given equal priority alongside the restructuring of the national public broadcaster. The Bophuthatswana Broadcasting Corporation, based in the former homeland, also argued for a plurality of regional and national public service broadcasting systems as part of its efforts to retain its own independence.² Privately-owned commercial broadcasters argued that regionally based broadcasting was a means of tapping unrealized advertising markets. This position has been articulated in particular by private

broadcasters based in Cape Town, who have consistently argued that the economy of the Western Cape is the one province other than Gauteng that could sustain a regional commercial television station.

Amongst a range of independent civil society groups there was broad agreement that the role of broadcasting in representing and promoting the linguistic and cultural pluralism of South Africa, would be best served by a diversity of public and commercial broadcasters operating at both national and regional scales, rather than by a single, centralized national public service broadcaster. These diverse groups privileged a particular understanding of public service broadcasting in defining the relationship between broadcasting and nation-building. This understanding was shaped by a minoritarian impulse, whereby public service broadcasting was seen as a system which served a plurality of diverse publics rather than a single, integrated national audience. The political problem for this minoritarian conceptualization of broadcasting in the South African context of the 1990s, was that it implied a regionally decentralized broadcasting system, and this carried too many echoes of the old-style of apartheid broadcasting, as well as running counter to the deep suspicion within the ANC of regionalist or federalist proposals for a restructured South African polity. The SABC, on the other hand, presented a 'nationalist' or majoritarian conceptualization of broadcasting which prioritized the need to constitute diverse publics into a single national audience. The assumption is that a unifying national identity can be developed through the collective consumption of programming. This vision has been vigorously pursued through the SABC's coverage of a series of media events as diverse as President Nelson Mandela's inauguration, the successes of national sports teams, and the annual Miss South Africa pageants.

Debates during the Triple Inquiry over the question of the scale at which broadcasting

should be organized cannot be separated from the question of language in the new South Africa. Given that language policy was central to the old SABC's policies of separate channels and programs for distinct racial and ethnic audiences, the reformulation of the language philosophy behind broadcasting has been central to the transformation of the public broadcaster in the 1990s. The Interim Constitution of 1993 recognized eleven official languages. This recognition was premised upon the functional multi-lingualism of most South Africans, but the decision is full of political ambiguity. On the one hand, this was a compromise decision that entrenches apartheid language policies by enshrining the status of nine standardized African languages along with English and Afrikaans. On the other hand, the Interim Constitution clearly prioritized individual rights over group rights, and included a clear commitment to upgrading the nine African languages from merely regional status to national status. The importance of this lies in the break it inaugurates with the conceptual triad of language-ethnicity-region upon which apartheid language policies, including broadcasting policies, had been based. The implementation of this new language dispensation involves the practical reconciliation of two apparently contradictory principles which underwrite the compromise enshrined in the new constitution: on the one hand, the commitment to extend and promote the use of previously marginalized African languages; and on the other hand, the principle of non-diminution of existing language rights upon which the compromise of eleven languages rests (Sachs 1994).

The SABC has been the first institution to undertake the task of translating these general principles into practical measures (Heugh 1994). It had been revising its language policies following the appointment of a new representative Board in 1993 in line with its new statement of "Vision and Values", which committed it to providing fair, equitable, and accessible programming to all South Africans and rectifying past imbalances (SABC 1993, p.

1). The language issue was central to the SABC's submissions to the Triple Inquiry, being the basis of the defense against arguments that the corporation should be significantly down-sized and that public service broadcasting should be de-centralized. The main aim shaping the SABC's submissions to the IBA was the defense of its own financial viability from the imminent increase in competition which would result from the opening of the airwaves to new commercial broadcasters. The SABC translated the broad constitutional principles on language into an argument concerning the corporation's responsibility to provide equitable broadcasting coverage of all eleven of the new South Africa's official languages. It argued that the task of providing national broadcasting coverage in all eleven official languages was its sole responsibility, making the assumption that no public service obligations with respect to language would be imposed by the IBA upon new broadcasters. The language question thus provided the basis for the argument that the corporation should retain a much greater share of the available broadcasting spectrum than was being suggested by the other main interests lobbying the IBA. This stood in contrast to the arguments of the main civil society organizations. They argued that the SABC broadcast in only the four or five main national languages, and that provincial public broadcasters be set-up to broadcast in the main languages of respective regions. From their perspective, one of the strongest arguments in favor of provincial broadcasting lay in the practical possibilities it offered to dealing with the question of language diversity at both national and provincial scales. They argued that the SABC was invoking an overly rigid interpretation of its language mandate as part of an expansionary counter-thrust to the arguments that it needed to be slimmed down. These disputes centered on the SABC's television portfolio. Civil society groups and prospective commercial broadcasters argued that the SABC should be limited to just two television channels. This would make it less dependent on advertising revenue, and the vacated third

channel would be re-licensed as a commercial network of regional stations. On its part, the SABC proposed retaining all three of its existing channels, along with a full complement of eleven separate language radio stations.

The IBA's Triple Inquiry Report was finally published in August 1995. In its main proposals, it compromised between the centralist position of the SABC and the pluralist position most forcefully articulated by the Group of Thirteen civil society groups. While largely accepting the SABC's own model of its language mandate, it held that these could be met with only two television stations. It proposed that the SABC be limited to only two television channels after 1998, with its third television channel being re-licensed as a new commercial station with significant public service obligations. The public broadcaster would also be obliged to sell eight of its commercial regional radio stations, and further private metropolitan radio stations would be licensed (IBA 1995, pp. 9-12). The publication of the IBA's blue-print was followed by a period of intense lobbying of Parliament, which had final authority to approve or amend the IBA's proposals. In response to powerful representations by the SABC, the Parliamentary Portfolio Committee on Communications amended the Triple Inquiry Report in February 1996, allowing the SABC to retain two of the original eight radio stations ear-marked for sale, and more importantly, all three of its television channels. This decision revealed the political influence that the restructured SABC carried with the ANC-led government. It represented a significant political rebuff for the IBA, one which raised questions about its ability to implement policies which impinged too closely upon established interests in the broadcasting sector.

Transforming radio and television

The completion of the Triple Inquiry opened the way for the systematic transformation of

broadcasting to finally get underway. In February 1996, the SABC went ahead with a long-planned re-launch of its television stations. The changes were heralded as finally ending apartheid television. New channel identities explicitly reflected the ethos of 'rainbow' broadcasting: SABC1's new signature, for example, was "Simunye: We Are One". Rather than separating white and black audiences on separate channels as in the past, the new portfolio combined and mixed different language groups in different proportions on different channels. The previously mainly black channel CCV-TV was re-launched as SABC1, the white channel TV1 as SABC2, and the third channel upgraded into SABC3. SABC 1, with a broadcast footprint covering about half of the country, would focus on programming in the main Nguni languages, Zulu and Xhosa, as well as English. SABC2, with the largest footprint covering about three quarters of the country, would cover the main Sotho languages of Sepedi, Sesotho, and Setswana, plus Afrikaans. SABC 3 is a commercially oriented English language channel. Largely restricted to metropolitan areas, it is meant to cross-subsidize the public service programming which would be mainly centered on the other two channels with the more extensive broadcast footprints.

These changes marked the ascendancy of English as the dominant broadcasting language on South African television, which now accounts for more than 50% of total coverage during prime-time on the SABC's three television stations. The SABC's own research had established that English was the overwhelming preference of programming in a second language (Thirion and van Vuuren 1995). But the dominance of English is also a reflection of the relative costs incurred in buying imported English-language programming, especially from the USA, compared to producing programming domestically in up to eleven languages. One of the effects of the changes to television programming, highlighted by the ascendancy of English as the main language on the SABC, has been the decline in the overall

amount of Afrikaans-language programming on SABC television.³ This is just one factor behind the changing audience profile which has emerged since the television re-launch. In the six months following the changes, while overall audience figures remained largely unchanged, the balance of television audiences shifted significantly. The proportion of “CIW” viewers (Coloureds, Indians and Whites) fell, but this was offset by an increase in black viewers (Financial Mail 30 August 1996). This shift has significant financial implications for the SABC. While its new television programming portfolio reflected national population demographics, it did not reflect the optimum commercial demographics for a broadcaster still heavily dependant on advertising expenditure. The “CIW” population remain the demographic groups who are the main target audience for the South African advertising industry. The changes meant that advertisers had fewer opportunities to reach affluent consumer audiences through the SABC’s television services. For this reason, the changes in television audience profiles during 1996 led to important changes in the distribution of advertising expenditure across different media forms. For the first time since the introduction of advertising on the SABC in 1978, television’s share of advertising expenditure declined relative to other media outlets in 1996, mainly due to a shift to newspapers, especially to the Afrikaans-language press.

The changes to the SABC’s television portfolio contributed to an emerging financial crisis at the corporation that became increasingly evident during the course of 1996 and early 1997. This was further heightened by the sell-off overseen by the IBA of six (rather than the eight originally recommended in the Triple Inquiry Report) of the SABC’s commercial regional radio stations. These profitable stations were a significant source of revenue for the public broadcaster. This was the first opportunity for black South Africans to gain access to ownership in the broadcasting sector. In line with the IBA Act and Triple Inquiry Report, the

successful bidders would have to have significant shareholding representation from “historically disadvantaged communities”. The regulatory framework for the sales therefore obliged white-owned capital to forge partnerships with black empowerment consortia. The IBA’s criteria for the regulation of radio included limitations on cross-media ownership, a concern to ensure a viable market for diverse radio broadcasting, and a commitment to promoting diversity of both ownership and programming. This meant that it did not simply award each of the SABC’s commercial stations to the highest bidder, the course favored by the SABC itself. In September 1996, all six of the stations were sold to groups with significant ‘black empowerment’ stakes. The completion of the sale was hailed as “the first privatization deal in South African history” (Mail and Guardian 20 September 1996). It marked an unprecedented restructuring of the ownership of radio broadcasting, breaking the SABC’s sixty-year monopoly in this field, and allowing the entry of black-owned and controlled groups into broadcasting, in partnership with existing white-owned companies. The sales raised a combined total of R521 million. This compared to the R606 million which would have been raised had the SABC’s favored highest bidders had been successful in each case. The highest single sum of R320 million was paid for Highveld Stereo in Gauteng province, which was awarded to a consortium composed of the burgeoning media and entertainment conglomerate Primedia Broadcasting, and the investment groups of the National Union of Mineworkers, the South African Clothing and Textile Workers Union, and the Women’s Investment Portfolio. Each of the other stations was sold to consortiums with significant representation by black empowerment capital and trade union investment groups. Other major black empowerment groups such as New Africa Investments Limited (NAIL) and Kagiso Trust Investments also acquired partial ownership of radio stations.

The restructuring of radio continued in late 1996, when the SABC re-launched its

remaining portfolio of radio stations, breaking the model of radio used since the 1930s with new channel identities which did not refer explicitly to language or ethnicity. In March 1997, the IBA awarded seven new metropolitan radio licenses, 4 in Johannesburg and 3 in Cape Town. The IBA again ensured that the successful applicants had strong black empowerment credentials. With these stations expected to come on air in late 1997 and 1998, the IBA has overseen the successful diversification of radio broadcasting in terms of both ownership and programming, increasing the choice for listeners and facilitating the entry of previously marginalized groups into structures of ownership. Since 1994, the IBA has also licensed more than 100 community radio stations, more than seventy of which were on air by the end of 1996. This has created a whole tier of broadcasting that previously did not exist. Taken together then, the re-regulation of the radio sector can be seen as a strong vindication of the IBA's originally conceived role to oversee the opening up of the airwaves in the interests of diversity and democracy (Currie 1996).

The changes to both radio and television during 1996 and 1997 provided the context for the worsening financial position of the SABC during this period. In mid-1997, the public broadcaster announced that it had registered a deficit of more than R60 million in the financial year 1995-6. This compared to a surplus of R106 million in 1994-5 (SABC 1996). The causes of the SABC's financial problems are many and varied. They include the effects of the television re-launch and of the radio sell-off, which meant both a loss of revenue and an increase in competition. The SABC's annual expenditure has increased to cover the costs of increased local content and African language programming; of introducing regional splits on television; covering such important events as local elections, the proceedings of Parliament, and the Truth and Reconciliation Commission; and the integration of the former homeland broadcasters. The SABC's investment in satellite television, in the form of the

analogue AstraSat system, has yet to show any significant return. And the level of non-payment of license fees has progressively worsened, reaching almost 60% by the end of 1996.

The combined effect of all of these factors, in the continued absence of general government funding, is that the SABC has become even more dependent upon commercial revenue sources in the course of its transformation into a public service broadcaster independent of the state. The percentage of its revenue derived from advertising has increased from 71% in 1992-1993 to 78% in 1995-1996. In the same period, revenue from license fees has fallen from 23% to 17% (SABC 1996). As this dependence upon advertising revenues increases, so the potential impact of any further increase in competition from new entrants into the television market become that much more serious. While the SABC's changes to programming introduced in 1996 were consistent with its new public service mandate, they tended to cater for what, in strict commercial terms, are marginal rather than cost-effective audiences. Given the structure of income distribution in South Africa, the latter is composed of a very narrow segment of society. The conundrum that faces the SABC is that, as a public broadcaster with a mandate to reflect and promote cultural diversity, and provide educational, entertainment, and informational programming in eleven languages on a national scale, it has found itself increasingly reliant upon "a funding source that is under no obligation to ensure its continued existence" (Freedom of Expression Institute 1996, p. 2).

With the onset of its financial crisis, in late 1996 the SABC undertook a Resources Review, with the aid of an international financial consultancy. The resulting McKinsey Report, published in March 1997, recommended major cut-backs in programming, in-house production, and staffing levels. It was argued that this would cut costs by R450 million immediately and reap R340 million in extra revenue. The report essentially proposed the sort of pruning that had been suggested by both civil society groups and commercial broadcasters

during 1994 and 1995. The SABC's management immediately accepted the proposals, despite protests from unions. By the end of 1997, the implementation of these recommendations had begun to restore a degree of financial stability to the corporation. Nonetheless, the overall effect of the changes in 1996 and 1997 has been to further entrench the SABC's dependence on commercial revenue sources, a dependence which has significant practical and political implications for its ability to fulfill its public service mandate.

Changing attitudes to independent broadcasting regulation

The reform and restructuring of a broadcasting and telecommunications sector previously tightly controlled by the apartheid state has involved an increased role for private capital and the market. The central policy question arising from this scenario is how this liberalization can be regulated and made consistent with the aims of nation-building, reconciliation, democratization, and cultural diversity. The mediation of these aims and objectives has been the task undertaken since 1994 by the IBA. The performance of the IBA since 1994 has been caught up in wider political processes: the SABC's uneasy relations with government, and its on-going battle with M-Net; in legal challenges by Afrikaner cultural organizations unhappy with the treatment of the Afrikaans languages in the re-vamped broadcasting environment; in the re-alignments of capital, eager to secure positions in the rapidly expanding and highly profitable media and communications industries; and by the on-going evolution of the ANC's political and economic agendas for transformation. The different interests between which the IBA has been meant to adjudicate have exercised greater political muscle than a body which remains financially dependent on the government.

The legitimacy of the IBA has been seriously weakened since 1994. Financial mismanagement has hindered its operations, and raised wider questions about the relationship between the degree of effective independence and the financial accountability of bodies such as the IBA which are meant to 'support constitutional democracy'. The IBA's handling of television restructuring has also led to increasingly frequent attacks on its credibility from all sides. Contrary to the commitment to holistic policy implementation promised by the Triple Inquiry, the IBA's actual performance with regard to television has tended to be piecemeal and lacking in integration. While the IBA has, then, not always helped itself, it has also had its legitimacy called into question by other players in the broadcasting sector. The IBA's

uncomfortable position was highlighted during the process of consultation and deliberation on the new private television license in 1997. The independent regulator was criticized by prospective bidders for the new license for acting too slowly; by the SABC for acting too prematurely and against its own statutory obligation to protect the public broadcaster viability; and by community broadcasters and independent production sector for not imposing adequate public service obligations on the new entrant.⁴

The delayed process of licensing a new private television station also highlights the centrality of M-Net's position to many of the disputes in which the IBA has been engulfed. The status of M-Net's license impacts not only on the SABC's financial standing but also on those of prospective new television broadcasters. The IBA has been caught in a developing dispute between the SABC and M-Net. The SABC alleges that M-Net has unfairly exceeded its advertising quota, operates a second channel without a proper license, and that it broadcasts live sports events, which are understood to be a national asset, in encoded form. But to a large extent, the regulator's hands are tied with respect to M-Net by the vague conditions of the station's original license and the decisions made in 1993 that protected existing rights and licenses. After considering the possibility of amending M-Net's license during 1997, the IBA decided to leave it largely unchanged. The overall effect of its handling of the dispute between M-Net and the SABC been only hasten calls for a re-vamp of the IBA Act.

This is just one example of a more general issue that stands behind the crisis of legitimacy that has gradually overtaken the IBA. With lengthy procedures for applications, consultations, hearings, recommendations, and appeals, and with a mandate which prioritizes the long-term viability of the broadcasting environment, the IBA has increasingly been seen by business, government, and the SABC as an encumbrance to their very different interests.

This emerging animosity might be best understood as flowing from the divergence between the IBA's administrative rationality on the one hand, and the economic rationality of both business and of the government (Horwitz 1989, p. 19). In line with experience elsewhere, as these forms of rationality diverge, one would expect to witness a growing move to transform the current regulatory arrangements. This is exactly what transpired in 1997, during which the view that the current regulatory regime needed to be overhauled gained increasing ground amongst a number of different interests. There has been a widespread tendency to present the IBA as inhibiting further transformation of the broadcasting sector, a position articulated by groups with otherwise very different political and economic interests in the process of media reform.

Shifting priorities in broadcasting policy

The transformation of radio and television since 1996 has taken place within a wider political and economic context which has important consequences for the pattern of further reform in this sector. The process of broadcasting reform has become inextricably caught up in the political calculations which follow from the adoption of a neo-liberal economic program by the ANC, and the related policies for the restructuring of state assets. With the end of apartheid, there has been an uneasy re-alignment of business with both the new political regime and organized labor. As part of this process, the economic ideology of the ANC has undergone significant revisions (Lazar 1996; Natrass 1994). The RDP established a broad commitment to redistribution within a broadly Keynesian framework which premised economic growth and development upon reconstruction and redistribution (Fine and Van Wyk 1996). Since the 1994 election, there has been a slow movement away from the original RDP blueprint. This culminated in the release in June 1996 of a new economic policy

framework document, Growth, Employment and Redistribution (GEAR). GEAR marks a decisive shift of emphasis, reflecting pressure from international financial institutions, aimed at boosting international investor confidence. It has been described as representing “the substantive abandonment of the RDP as originally formulated” (Adelzadeh 1996, p. 67). Prioritizing fiscal prudence, GEAR posits redistribution as an outcome rather than condition of economic growth, and implies a clear commitment to reducing state involvement in the economy in order to reduce public expenditure.

The most dramatic and visible change in the South African economy since 1994 is the rapid emergence of black-owned corporations. The much trumpeted process of black economic ‘empowerment’ through the extension of equity shareholding has been facilitated by corporate unbundling, a process driven in no small part by the political imperative for white-owned corporations to re-position themselves and re-deploy capital in response to domestic and international political transformations. 1996 witnessed highly publicized black empowerment deals involving the unbundling of assets by the mighty Anglo-American Corporation. NAIL led the National Empowerment Consortium in its acquisition of the industrial holdings group Johnnic, while another black empowerment company, Capital Alliance, secured control of Johannesburg Consolidated Investments (JCI), marking the first time that black South Africans have acquired ownership of a mining-house. While the increase in the share of black ownership of capital has been impressively rapid since 1994, questions remain regarding the extent to which this increase in ownership actually involves a fundamental transformation in the patterns of corporate control in the South African economy. A feature of this process of ‘empowerment’ through corporate unbundling has been the involvement of trade union investment groups. They have been able to leverage the capital accumulated during apartheid in the savings and pension funds of their memberships

in order to secure strategic equity stakes in companies and representation on their boards. Corporate investment by trade unions is just one of the sources of growing tension between the leadership and rank-and-file memberships of organized labor unions (Gall 1997; Uys 1997).

In contrast to unbundling, the restructuring of the economic assets of the state is a much more contentious political issue, cutting to the heart of the political alliance between the ANC, the Congress of South African Trade Unions (COSATU), and the South African Communist Party. During the course of 1995 and 1996, the embrace of privatization by the government gave rise to increasing tensions between the government and COSATU. While centrists within the ANC have adopted capitalism as the route to black economic empowerment, critics express concern that both unbundling and privatization promise only the enrichment of a few rather than the genuine economic empowerment of the majority of South Africans. In the context of the political tensions aroused by the issue of privatization, the example of corporate unbundling has been used as a way out of the political impasse over the restructuring of state assets. Such schemes have become the model through which the partial privatization of state assets has been politically legitimized. The favoured model, exemplified by reform of the telecommunications sector, involves the formation of partnerships with private corporations in which the state retains a controlling stake. By reserving a proportion of the shares in any state-owned company for black businesses and for employees, this is presented as a means of increasing the opportunities for black South Africans to participate in the economy.

The shift of emphasis implied by the move from the RDP to GEAR, and the embrace of privatization as a route to black economic empowerment, provide the broader economic policy context in which the restructuring and re-regulation of the mass media in South Africa

has been undertaken. Both unbundling and privatization are most advanced in the media and communications industries. Ownership of the South African press has been restructured since 1994, through the entry into this sector of both international capital and domestic black empowerment groups. And the restructuring of broadcasting has served as the opportunity for the entrance of black empowerment groups such as NAIL and Kagiso as well as trade union investment companies, in particular by acquiring ownership of privatized and newly licensed radio stations. During 1996 and 1997, the ANC moved to assert more direct control over the path of media reform as this sector became the focus for industrial competition policies. As broadcasting and telecommunications have become identified as primarily economic assets, so the political and cultural imperatives which to a considerable extent shaped policy formulation up until 1995 have become subordinated to economic concerns. This process was explicitly marked in the announcement at the beginning of August 1997 by Jay Naidoo, the Minister of Posts, Telecommunications, and Broadcasting, of a thorough broadcasting policy review process. Since taking up this post in March 1996, Naidoo has expressed concern over the lack of authority his Ministry has over the IBA. He has made it clear that he sees the future of the IBA solely as a regulatory and licensing body, and his department has taken-over the formulation of broadcasting policy that has up until now been the responsibility of the IBA. The explicit agenda behind the policy review is to wrest back control of broadcasting policy for the government.

The broadcasting policy review needs to be placed in the context not only of the progress of broadcasting reform, but also that of telecommunications restructuring. Telecommunications is a much more significant sector of the economy than broadcasting, but the fortunes of the two are closely linked. The important point to note about the implications for the broadcasting sector of this policy shift is that telecommunications reform, which has

been driven by the economic considerations of international competitiveness which are set to guide broadcasting reform in the future, has been undertaken in an increasingly centralized, statist fashion which circumvents previous processes of consultation and participation (Horwitz 1997). Naidoo was appointed with an explicit brief to speed-up progress on the restructuring of the telecommunications para-statal, Telkom. In March 1997, Naidoo, a former secretary-general of COSATU, secured the agreement of the trade unions for the partial privatization of Telkom. In the same month, a 30% stake in Telkom was sold jointly to the American company SBC Communications and Telekom Malaysia. The deal was heralded as the biggest capital investment in the new South Africa which would kick-start a multi-billion Rand infrastructural development program. The political legitimacy of the deal was secured in April 1997, when it was announced that a further 10% of Telkom shares would be sold to black business and labor. The Telkom deal exemplifies the ANC-led government's determination to open previously closed sectors of the economy to foreign capital and also to extend the operations of large corporations such as Telkom into the broader Southern African region.

In contrast to the broadcasting sector, telecommunications 'privatization' has not yet been accompanied by market liberalization. Telkom's monopoly position remains protected for an unspecified period. One consequence of this difference is that the new South African Telecommunications Regulatory Authority (SATRA), lacks the same degree of independence that the IBA has. SATRA is answerable directly to the Minister, rather than to Parliament as is the case with the IBA. It is this difference between the extent of independence from government of the two bodies that is central to the debate over the imminent merger between IBA and SATRA, scheduled to take place by the end of 1998. As an institution created in the policy-vacuum regarding broadcasting that existed in the early 1990s, the IBA was always

likely to be vulnerable to changes in the balance of political forces that enabled it to be established in the first place. Some commentators fear that the merger will enable the government to impose greater control over broadcasting than it currently has. This concern is animated by the persistent criticism that has been directed at the media by leading ANC figures. The ANC has grown increasingly concerned about its ability to manage news presentation and the flow of communications about its policies (Louw 1995).

Taking advantage of the financial crisis at the SABC and the crisis of management and financial accountability which engulfed and partly paralyzed the IBA during 1997, Naidoo's policy review essentially drew a line under the process of broadcasting reform begun in the early 1990s. It indicates a clear shift of emphasis in regulatory policy. This follows from the treatment of broadcasting as "a cluster of industrial policy" aimed at making the South African economy globally competitive (Naidoo 1997). A Green Paper on Broadcasting Policy published in late 1997 confirmed the re-location of broadcasting squarely into the sphere of industrial and competition policy, and a White Paper in 1998 confirmed the government's intention to merge the IBA and SATRA. This shift of emphasis rests upon the mobilization of the contemporary rhetoric of convergence between information, telecommunications, and broadcasting technologies. The new agenda aims to boost manufacturing capacity and international competitiveness. This implies that a more interventionist position by government be taken regarding the setting of media policy than has so far been the case. The justification for the regulation of broadcasting and telecommunications has been altered in the process. In place of a political and cultural justification based on a definition of 'national interest' which prioritizes democracy and diversity, the 'national interest' in the communications sector has been redefined primarily in terms of economic development and growth. As a consequence, the emphasis which has been

accorded to developing and regulating broadcasting to ensure a democratic and diverse system of communications, in the interest of cultivating an independent and vibrant civil society, has been significantly down-graded.

Commercialization, diversification, and the contradictions of post-apartheid broadcasting

South African broadcasting has been fundamentally transformed during the 1990s. This dramatic transformation has been overseen by the IBA, which was created to ensure the democratization and diversification of broadcasting. Broadcasting is a more competitive sector now, but even after the unbundling of the print media and the re-regulation of radio, the media sector remains characterized by a highly concentrated structure of ownership. The restructuring of broadcasting has been the basis for the consolidation of the position of new, private sector media conglomerates such as NAIL and Primedia Broadcasting. This points to the limitations of conceptions of ‘freedom’, ‘diversity’, and ‘democratization’ in the media that considers these values to be equivalent to or guaranteed simply by the legal right to ownership in media organizations. This conflation tends in turn to equate greater numerical choice of channels and programs with diversity. The question of the right not only to receive information, but of access to the means of communication in order to produce and distribute information, tends to slide from view in this economic understanding of diversity.

The assumption that greater diversity of ownership will lead to greater pluralism of opinions and programming is certainly attractive in a South African broadcasting system previously dominated by a monolithic and politicized entity like the SABC of old, but it is severely limited as a vision of the long-term future. A market-driven model of broadcasting reform is limited as a means for the development of broadcasting as a medium for democratic

communication and nation-building not least by the relation between the financial imperatives of commercial broadcasting on the one hand, and the structure of the market for broadcasting services in South Africa on the other. More stations does not necessarily equate with more listeners or viewers, but has led to greater competition between stations for existing audiences. In commercial broadcasting in South Africa, as elsewhere, the aim of programming is to produce audiences with specific demographic characteristics for advertisers. And in South Africa, the demographic characteristics looked for by advertisers are concentrated in a very narrow segment of society, a historical product of racialized patterns of accumulation and income distribution. Economistic understandings of media democratization tend to finesse this relation between the financial imperatives of commercial broadcasting as a process of commodification on the one hand, and the structure of the market for broadcasting services in South Africa on the other. More stations does not necessarily equate with more listeners or viewers. The expansion of channels and diversification of ownership has led to greater competition for what is still a relatively small portion of the South African population, the affluent, mainly white minority who remain the main target audience for advertisers. The end of apartheid and the re-regulation of broadcasting is bringing about a proliferation of media outlets at a faster pace than the growth of advertising expenditure. The result is the increasingly careful targeting of audience segments by advertisers, already an observable trend in the radio sector. One of the possible effects of the liberalization of South African radio and television is an even greater degree of fragmentation of media audiences as broadcasting is transformed into commercially driven narrow-casting.

Any realization of the ideal of broadcasting as a democratic public sphere and/or as an instrument of nation-building in the South African context is faced with the dual hurdles of extending access to the means of communication in both technological and cultural terms.

Firstly, the aim of constituting the media as a public sphere supportive of a diverse and independent civil society can only be realized once access to the basic technological means of communication has become much more equitable. As we have seen, the restructuring of telecommunications infrastructure is now closely tied to a neo-liberal agenda for establishing international competitiveness and attracting foreign investment. Secondly, the question of access in cultural terms, in the case of radio and television, has centered on the question of language. The attempts to realize the ambitious but vague constitutional principles of language equity led to the project of extending access to mass mediated information to all South Africans irrespective of the language they speak and the place they live in. But the commercialized nature of broadcasting in South Africa imposes a definite limit upon the extension of access through equitable coverage of eleven languages on a national scale in two ways. The SABC's ability to cater for the full diversity of South African society has been severely constrained by its particular funding structure. If it is to maintain its financial viability, it must compete with new broadcasters for a relatively small and only slow growing amount of advertising revenue, which involves duplicating programming in trying to attract affluent audiences. If it targets wider and more diverse audiences, then in strict commercial terms this is not cost effective because they do not attract the same level of advertising revenue.

The aim of organizing broadcasting as an instrument of national unification in South Africa is therefore complicated by the interplay of two sets of forces, one set operating above the scale of the nation-state, the other set below the level of the nation-state. The economic policies of the ANC-led government, shaped by broader international processes, is leading to the increasing commercialization of the broadcasting system even as it embraces a new public service credo. On the other hand, the task of nation-building has to address a series of sub-

national identities which reflect entrenched patterns of socio-economic division. To a considerable extent, in South Africa cultural and linguistic differences correspond with stark and entrenched socio-economic inequalities. The interaction of the economic dynamics of commercialized broadcasting with the structure of social economic and cultural differentiation thus render it difficult for the broadcasting system to successfully bind together diverse identities and audiences into a single national public while at the same time maintaining financial viability.

Conclusion

Tracing the progress of media reform during the 1990s raises two related questions regarding processes of democratization in South Africa. Firstly, to what extent is the direction of policy in this sphere indicative of a set of economic priorities which adequately address the material inequalities which arguably pose the greatest challenge to the long-term sustainability of democracy in South Africa? Secondly, and more specifically, to what extent are the economic policy imperatives shaping the transformation of broadcasting and telecommunications consistent with the broad aim of constituting the media as a public sphere supportive of a diverse and independent civil society? The pace of change in the South African broadcasting sector since 1994 has been remarkably rapid. 'Nation-building', understood in terms of a series of symbolic 'media events' portraying appropriate images of national unity, and the economic imperatives derived from the government's economic agenda, have together provided the main impetus behind the transformation of broadcasting. In contrast, progress towards the realization of greater accessibility to means of communication has been slower. For example, while community radio has been given a significant boost, representatives of this sector complain that community broadcasting has been generally sidelined in the rush to

restructure the SABC and lay the basis for new commercial broadcasters. The process of broadcasting reform reflects the more general waning of the influence of 'civil society' organizations which came to the fore in the struggle against apartheid in the 1980s and maintained a considerable influence, especially in broadcasting, in the period from 1990 to 1994. The positive impetus for independent broadcasting came from civil society groups aligned with the mass democratic movement. The IBA was the product of a period of intense political campaigning and intellectual debate in the early 1990s which produced a consensus on the need to ensure that broadcasting be taken out of control of cabinet ministers, and made independent of direct government interference. These arguments informed the ANC's Media Charter, with its vision of the media as a means both for the receipt of information and a means of expression, and the vision of a democratic information and communication policy present in the RDP. The period since 1994 has seen a decline in the influence of civil society groups. Their independence has been diminished and compromised by their inevitable incorporation into state apparatuses, by explicit moves by the state to manage more closely the activities of NGO's, and also by the drying up of international funds following the end of apartheid in 1994 (James and Caliguire 1996). This pattern is clearly witnessed in the broadcasting sector, where the influence of civil society groups has decreased as the reform process has become inevitably bureaucratized, through the formation of the IBA and the emergence of industry-based lobbying bodies (Van Zyl 1994).

Broadcasting in and of itself cannot secure democracy nor succeed in the task of nation-building. It can be argued that the primary conditions for democratization in South Africa lie less in securing widespread identification with symbolic representations of national unity within a plural society, but rather in the successful economic and political incorporation of the majority of citizens (Cherry 1994). This depends upon the implementation of

development programmes to alleviate poverty and economic inequality, and upon the extension of forms of democratic decision-making. The reform of the broadcasting sector suggests a trend towards the subordination of developmental and redistributive imperatives to the priorities of a neo-liberal program of economic growth. And the concrete implementation of policies for infrastructural development is increasingly leading to the attenuation of institutionalized forms of participatory decision-making and independent regulation that only very recently were considered a corner-stone of any democratic transformation of the South African media system. Broadcasting therefore reflects a larger tension emerging in the ongoing process of democratization in South Africa. As long as democracy is understood as a process which must unfold in accordance with the requirements of international capital and globalized markets, this threatens to entrench socio-economic inequality and limit the extension of participatory forms of popular democracy (Saul 1997).

As economic policy is increasingly represented as a set of imperatives imposed by a monolithic global capitalism, so democracy in turn is subordinated to the rhetoric of nation-building and easily reduced to a set of practices for managing the effects of policy implementation and winning consent. A vision of democracy as a process of informed deliberation and participation in the formation of choices about the path of economic reform implies a more decentralized and dialogical conceptualization of the media than has so far been pursued. This conceptualization can only be realized if the distance between state and civil society is maintained, and if the nominal independence of broadcasting institutions from both state control and capture by the imperatives of private capital and the market is given firm foundations.

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Notes

1. *First Report of the Multi-Party Negotiating Council's Technical Committee on an Independent Media Commission and an Independent Telecommunications Commission*, 13 May 1993, Johannesburg.

2. The Bophuthatswana Broadcasting Corporation continued to operate independently, with the support of the government of the Northwest province, until finally integrated into the SABC in early 1998. With the completion of the integration of the broadcasting services of the 'TBVC' homeland states (Transkei, Bophuthatswana, Venda, Ciskei) into the SABC, the option of developing decentralized public broadcasting services at the provincial level was effectively closed for the foreseeable future.

3. The transformation of broadcasting has been the occasion for widespread lobbying by Afrikaans language and cultural organizations in defense of the perceived threat to the status of the language. For a discussion of the economic and political influence of this infrastructure of organizations on the progress of broadcasting reform, see Barnett (1998).

4. The process of licensing the new television service was completed in 1998. The successful applicant was Midi TV, a consortium with 80% shareholding with trade unions and 'black empowerment' groups, and a 20% stake from the US-owned communications giant Time Warner.