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Title: A History of Media Policy in SAfrica

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Main disciplinary area: Media
Keywords:
Two key decades in Media Policy development
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HUMAN SCIENCES
RESEARCH COUNCIL
Social Science that makes a difference

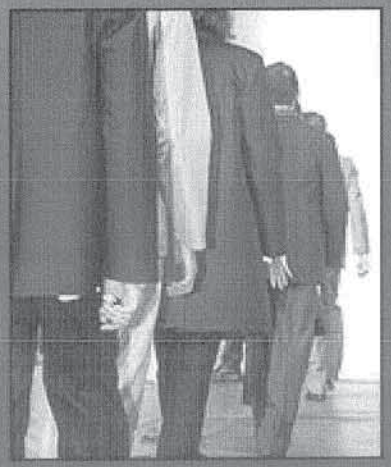
A History of Media Policy in South Africa

Adrian Hadland
Deputy Executive Director
HSRC

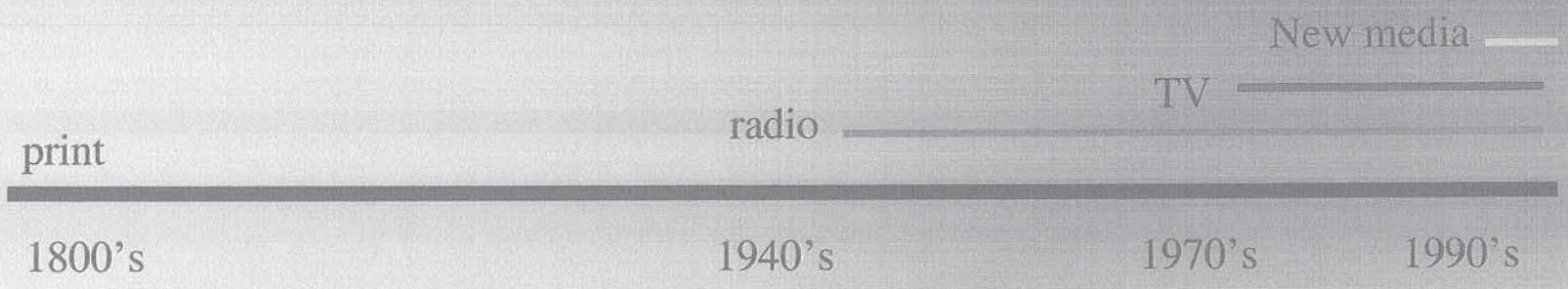
Two key decades in media policy development:

- 1940s: ANC (passive resistance, African Mineworkers Strike, YL), NP, US/USSR (paranoia, Suppression of Communism legislation)

- 1990s



A (VERY) brief history of the SA Media



A few early moments

- 1906 – 22: radio amateurs rule the airwaves, broken in mid-20s by commercial sponsorship and growing corporate control
- 1923 – first experimental broadcast in South Africa (18 Dec, in Johannesburg)
- 1926 – Radio Act (all transmission and receptions – Postmaster General)
- 1936 – Broadcasting Act – establishing SABC (new act in 1976)

The 1940s

1940's: Birth of community radio movement in US

1941: The Atlantic Charter – Franklin D Roosevelt & Winston Churchill

They "wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them".

1943: *Africans' Claims in South Africa* Document, accompanied by a Bill of Rights including a clause calling for the "Right of freedom of the press", adopted unanimously by the ANC annual conference on 16 December 1943.

1946: UN General Assembly declares "Freedom of Information" a fundamental human right

1949: UN Declaration of Human Rights

Article 19:"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

The Intervening Years: 1950 – 1989

1955: Freedom Charter

- All people shall have equal rights to use their own languages and to develop their own folk culture and customs
- The law shall guarantee to all their right to speak, to organize, to meet together, to publish, to preach, to worship and to educate their children
- Free exchange of books, ideas

1960s: Community TV movement develops in Canada (Fogo Island Project)

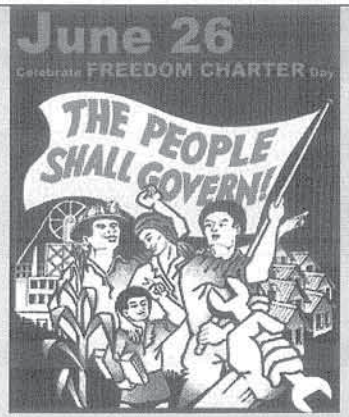
1970s: TV arrives in SA

1980s: The Decade for Cultural Development
PW Botha & Nats intervene in Media, esp SABC
CASET produces radio-type material as audio cassettes

1981: African Charter of Human and People's Rights

- Every individual shall have the right to receive information.
- Every individual shall have the right to disseminate his opinions within the law

(Catch = right to receive 'censored' information: interdependent)



The Intervening Years: 1950 – 1989 (continued)

1987: Task Group on Broadcasting in South and Southern Africa – appt by Alwyn Schlebusch (but TBVC, not made public)

1989: General Conference of Unesco resolution on "Communication in the Service of Humanity", including:

- free flow of ideas by word and image
- promote wider and better balanced dissemination of information without any obstacle to freedom of expression
- develop all appropriate means of strengthening communication in developing countries in order to increase participation in the communication process
- advance mutual knowledge and understanding of peoples through all means of mass communication

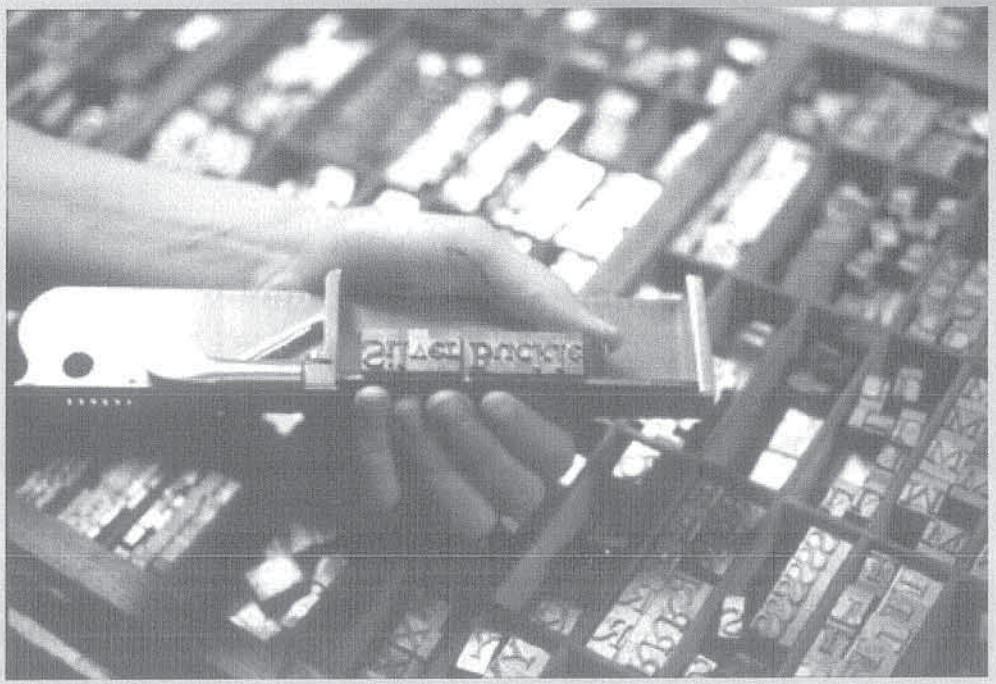
1989: National Action Plan for the Promotion and Protection of Human Rights, which emphasizes freedom of expression and media diversity

1989: Cosatu sets up a national consultative process on media policy, crystalises a network of 'left-wingers interested in policy work'

1989: Durban Media Trainers Group (DMTG) raise media subsidy system/media diversity fund

The 1990s – Pre-1994: 'DEMOCRATISING THE MEDIA'

- Difficulties placing media issues on the National Political Agenda
- Gathers impetus as election approaches and realization dawns of importance of media, especially the SABC
- Notion of community media, and broadcast in particular, gains credence
- First community radio station on air, G'town, for 10 days in 1991
- Codesa (Convention for a Democratic SA)



Key features of the 1990 – 1994 Media Policy Environment

1. Viljoen Task Group (appt by Gene Louw) in 1990 & FAWO/COM march on the SABC (25 Aug 1990): recommends new Broadcasting Act, creation of an IBA appt by Parlt, remove SABC dependency on advertising, removal signal distribution from SABC (no mention of CR)
2. Policy conferences:

- Jabulani! Freedom of the Airwaves Conference (August, 1991):

First time control and regulation of broadcasting on MDM agenda

Community media defined as: "Initiated and controlled by members of a community of interest or a geographical community, to express their concerns, needs and aspirations without outside interference, subject to the regulation of an IBA"

Funding from both public and private sectors, "details of this should be worked out by the communities themselves…"

- BOP Univ Media Policy Workshop (September 1991) – takes forward a number of issues from Jabulani

- Free, Fair and Open Media Conference (Feb, 1992) & Codesa
  - Resolution: "Community Broadcasting "is based on the ideals of participation, community ownership, non-profit, community interest and enables the community to express their needs and aspirations through access to the airwaves
  - Proposes an ICA (Ind Communic Auth), role: to promote a diversity of voices, ideas, interests and ownership in broadcasting which will contribute to a free political debate
  - Proposals to Codesa: estab Interim Independent Communication Authority, new SABC Board, appt task force to examine obstacles to diversity of opinion in the print media
  - Key isssues: market structure & SABC-NP

- Patriotic Front Conference, Durban, 1991 (transitional authority to control state media)

Key features of the 1990 – 1994 Media Policy Environment (continued)

• Rhodes Media Policy Workshop (1990): diversity of media voices (esp print), IBA, BoR to include Free of Expr, advertising tax to help alternative media

3. Party Lines

DP: first Political Party to formulate and present a media policy, inclu: independent body to control bro g, separation of commercial and public, emphasis on radio as way of reaching majority (27 May, 1991)

NP: Position paper on Regulation of Electronic Media, present to Codesa in March 92.

Nov 1991: 300 delegates attend ANC DIP conference - Media Charter, adopted by NEC, Jan 13, 1992: "Crucial turning point within ANC's approach to media.
Charter: deliberately Utopian, statement of intent, long-term, values, ideological guidelines. Underlying assumption – material resources required to ensure market forces don't restrict freedom of speech to only middle class and affluent

ANC Media Charter: Section II Democratisation of the Media

1. The forms and methods of the media shall take account of the diversity of communities in respect of geography, language and interests.
2. Measures shall be taken to ensure that all communities have access to the technical means for the receipt and dissemination of information, including electricity, telecommunications and other facilities
3. All communities shall have access to the skills required to receive and disseminate information, including the skills of reading and writing
4. Diversity of ownership of media production and distribution facilities shall be ensured
5. Affirmative action shall be implemented to provide financial, technical and other resources to those sectors of society deprived of such means

4. 1991: The Windhoek Declaration

- A benchmark for the UN and all organizations in the media field
- Harbinger of media liberalization in Southern Africa
- A statement of principles drawn up by African Journalists and Media Practitioners calling for a free, independent and pluralistic media on the continent and throughout the world

The Windhoek Declaration Included:

- Independent press = independent from government, political or economic control or from control of materials or infrastructure essential for production or dissemination of newspapers, magazines and periodicals
- Pluralistic press = end of monopolies of any kind and the existence of the greatest possible numbers of newspapers, magazines and periodicals reflecting the widest possible range of opinion within the country
- Direct funding as a priority toward development and establishment of non-governmental media that reflect society as a whole and the different points of view within the communities they serve
- All funding should aim to encourage pluralism as well as independence
- Codes of ethics
- Need for similar Declaration for radio and TV in Africa (See Windhoek + 10)

1993: IBA Act – disagreement on definition of community media

- government – geographic/communities of interest
- business – non-profit
- MDM – community-control and ownership

IBA Act: 3 tiers of broadcasting: public, private and community
First legal definition of community media (radio):

- fully controlled by a non-profit body and run for non-profit purposes
- serves a particular community
- encourages community participation in selecting and running programmes
- funded by donations, grants and sponsorships, advertisements or membership fees

First definition as: "For the community, by the community, through the community"
IBA also defines accessibility, diversity and independence

Two types of community broadcast licence: community of interest ("any group or persons or sector of the public having a specific ascertainable common interest") & geographic community
IBA Code of Conduct, plus Broadcasting Complaints Commission
IBA charged with "encouraging and creating conditions for … CM to be licensed and thrive at both national and regional level"
IBA "Totally silent on issue of developing policy"

The 1990s – Post-1994

Key Features of the Post-1994 Media Policy Environment

- Media in Crisis (ABC figures, Sanef skills survey),

The ABC of declining sales

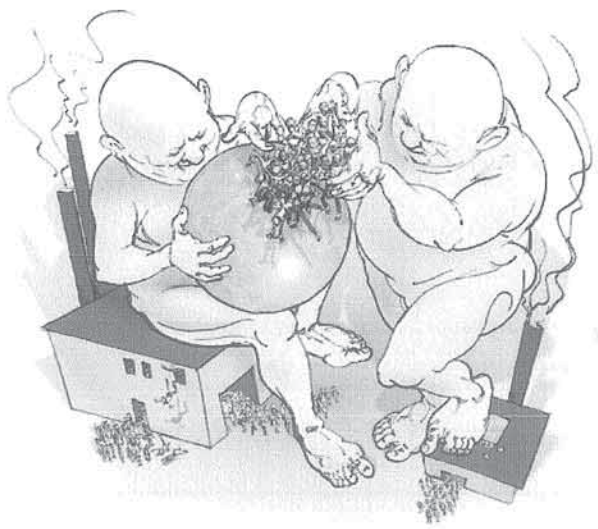
Title	1992		1993		1994		1995		1996	
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec
Cape Argus	102,145	105,005	110,777	105,649	106,574	97,996	89,014	82,774	82,370	82,142
Daily News	93,951	96,294	99,574	93,021	93,247	87,814	81,032	75,960	75,205	72,130
Ilanga	125,603	131,407	130,779	122,367	130,699	122,336	122,580	125,761	119,557	112,828
Mercury	60,617	59,274	60,692	60,207	62,925	57,813	49,874	42,690	43,369	40,904
Sowetan	224,932	213,897	234,096	209,272	217,823	190,586	208,358	207,849	211,688	211,178
The Star	209,351	206,219	216,§182	204,684	208,185	191,332	182,119	165,171	169,994	156,358

Reasons for the Crisis

Supply-side pressures

- Globalisation: convergence, technology, ownership
- Low level of commitment to training, closure of cadet schools, historical enmity between industry and academia
- Poaching of senior black staff by government, corporates
- Pervasive low salaries
- Rapid turnover of senior staff in response to employment equity
- Poor management and incomprehension of changing media environment
- Pressure on resources due to falling circulations and distortions in advertising income - rise of commercialism

Demand-side pressures



- Transition fatigue
- Globalisation: imagined communities
- Competing information sources: mushrooming of satellite TV, digital radio and internet
- Leisure time competitors (sports, holidays, family)
- Pressures on disposable income: lotto, cellphones
- Tough economic environment, volatile currency and interest rates, joblessness

The 1990s – Post-1994

Key Features of the Post-1994 Media Policy Environment (continued)

- Death of the Alternative Media (New Nation, South, New African, Vrye Weekblad)
- Deconstruction/ Transformation of the SABC, emergence of Community Radio & passage of Broadcasting Act: SATRA, IBA, ICASA & USA
- The 1996 Constitution: FoEx, Access to Info 'cornerstones'
- The Information Age: Break-up of RDP Office, corporatisation of Telkom and competition over policy (Benjamin)
- Inquiry into Racism in the Media (SAHRC)
- Some shifts in ownership/composition (print)

Other Important developments of the Post-1994 Era

1994: RDP Base Document:

Produced following conference in January 1994: sets out a Democratic Information Programme, including:

- open debate and transparency in society = crucial to reconstruction and development.
- New Info policy must facilitate exchange of information and opinion within and among all members of society
- Democratic government must encourage development of all 3 tiers of media: public, private and community "New voices and genuine competition must be encouraged"
- Limit monopoly control
- Restructure SA Communication Service to GCIS
- Provides for IDT (IMDT) and IBA

Other Important developments of the Post-1994 Era (continued)

1996: Comtask: CoI into govt communications

- lack of media diversity results in an information bottleneck
- ownership and control of distribution and printing infrastructure = critical areas need to be address to promote media diversity
- proposes MDDA

1996: Report of IBA's Triple Enquiry into the Protection and Viability of the Public Broadcaster, cross-media control, local content and South African Music.

1996: Telecommunications Act (USA & Satra): key objectives include:

- creation of Universal Service Fund
- Promotion of universal and affordable telecommunications
- Promotion of telecoms that are responsive to needs of users and consumers
- Promotion of fair competition within industry

1998: White Paper on Broadcast Policy. Principles:

- access for all
- diversity is the framework for national unity
- free expression
- democratizing the airwaves
- nation-building
- emphasis on educational broadcasting

White Paper becomes the Broadcasting Act in May, 1999
Act includes guidelines for broadcasting system as a whole, including:

- provide public access to a variety of points of view on public issues
- community broadcasting service defined in same way as IBA

Other Important developments of the Post-1994 Era

1998: First attempt at establishing a media diversity mechanism, the IMDT, collapses

1998: national Action Plan for the Protection and Promotion of Human Rights

1999, July: FXI/ NCMF: National seminar on need for/role of Media Development Agency

Y2K and beyond

2001: Windhoek Plus 10: African Charter on Broadcasting

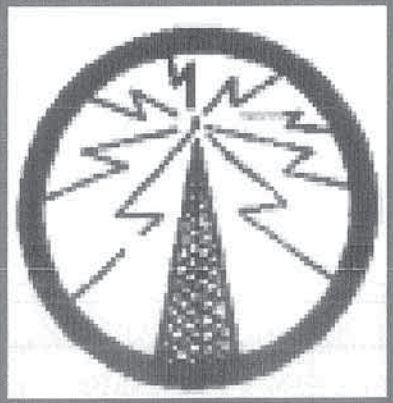
- "Noting that freedom of expression includes the right to communicate and access to means of communication"
- Right to communication includes telephones, email, internet and other telecommunications systems including through the promotion of community-controlled information communication technology centers
- Frequencies should be allocated equally between public service, community and commercial
- States should promote an economic environment that facilitates development of independent production and diversity in broadcasting
- Community broadcasting: "For, by and about the community, whose ownership and management is representative of the community, which pursues a social development agenda and which is non-profit
- Telecommunications law and policy should promote goal of universal service and access

2001:

- MDDA Draft Position Paper
- Local Content Discussion Paper (Icasa)
- Position Paper on 4-year Licensing of Community Radio Broadcasters

2001:

- Promotion of Access to Information Act



Related Policy Initiatives

- SAQF
- Language Policy
- Telecoms (satellite, digital & cellular technology)
- Competition
- Employment Equity and Skills Development (SAQF)
- Rural Development (ISRDP)
- MPCCs, Community Arts Centres, Telecentres
- GCIS
- MDDA
- Libel, Defamation and the Law
- e-commerce, new media, IT policy for the public sector and the SA Industrial Strategy Project
- DTI: Harmful Business Practices
- Advertising Standards Authority

Future trends

- Globalisation: convergence (techn & skills), ownership, commercialism
- NB of training: Sanef
- Diversity
- Media Charter/Policy
- MDDA
- MPCCs