

**An analysis of the policy governing broadcasting news  
in contemporary South Africa,  
using Hanberger's model**

by

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## **Abstract**

In the South African constitutional democracy, the state is responsible for ensuring that people have access to information, in order to make informed decisions and participate in democratic life. This responsibility is enshrined in the Constitution through the right to access information and the freedom of the media. The state enables constitutional imperatives via legislation. The broadcasting news policy is implemented via a Chapter 9 organisation, namely the Independent Communications Authority of South Africa (ICASA). The operation of this organisation is also provided for in the Constitution.

This study is a policy analysis of the policy governing electronic news in contemporary South Africa, with a specific focus on free-to-air national television. Using Hanberger's model as a framework to steer the research, this study examines whether the current policy is achieving its aims. Normative theory provides the theoretical point of departure, as the study questions whether the policy is effectively contributing to an informed population in the country, in order to further democracy.

Using a qualitative research approach, the research methodology included a content analysis of free-to-air television news bulletins on SABC3 and ETV, analysis of documents related to the policy, and interviews with stakeholders.

The study found that the South African public is being under-served with television news that lacks both depth and a diversity of viewpoints, that television newsrooms are under-resourced, and that owing to gaps in the policy, television stations produce the bare minimum of news. Additionally, the study revealed that the implementing organisation ICASA is inadequately fulfilling its function in various ways and has lost sight of its purpose. Other findings were that the country lacks an essential, legal definition of news, that the policy is managed in a superficial manner, and that there is a clear need for the policy to be revised and updated to accommodate the many shifts which have occurred in the socio-economic landscape and in the media environment since the policy's inception 25 years ago.

## Opsomming

In die Suid-Afrikaanse grondwetlike demokrasie is dit die Staat se verantwoordelikheid om te verseker dat mense toegang het tot inligting. Dit stel hulle in staat om ingeligte besluite te neem en deel te neem aan demokratiese prosesse. Die verantwoordelikheid begin by die grondwetlike imperatiewe wat die reg tot toegang tot inligting en persvryheid verskans, en word moontlik gemaak deur wetgewing wat hierdie regte – wat geïmplementeer word deur 'n Hoofstuk Nege-instelling - tot uitvoer help bring.

Hierdie studie is 'n analise van die beleid op die regulering van elektroniese nuus in hedendaagse Suid-Afrika, met 'n spesifieke fokus op gratis (“free-to-air”) nasionale televisieuitsendings. Deur gebruik te maak van die Hanberger-model as 'n raamwerk vir navorsing, ondersoek hierdie studie of die huidige beleid se doelwitte bereik word. Normatiewe teorie verskaf die teoretiese vertrekpunt, terwyl die studie die vraag vra of die beleid effektief bydra tot 'n ingeligte Suid-Afrikaanse samelewing met die oog op die bevordering van demokrasie. Daar word gebruik gemaak van 'n kwalitatiewe benadering, en die navorsingsmetodologie sluit 'n inhoudsanalise in van gratis nasionale televisiebulletins op SABC3 en ETV, analise van dokumente wat betrekking het op die beleid, en onderhouds met belanghebbers.

Die studie het bevind dat die Suid-Afrikaanse samelewing onder-bedien word deur televisie nuus, en dat die nuus boonop tekort skiet aan sowel diepte as 'n verskeidenheid van standpunte, dat televisie nuuskantore onderbeman is en dat TV-kanale weens gapings in die beleid die absolute minimum hoeveelheid nuus lewer. Die navorsing toon ook dat ICASA, die instelling wat die beleid moet implementeer, op verskeie maniere nie sy funksies ten volle vervul nie en sy doelwit uit die oog verloor het.

Ander kwessies wat uit die studie voortspruit, sluit in dat die land 'n noodsaaklike, wetlike definisie van nuus benodig, dat die beleid op 'n kunsmatige manier bestuur word en dat daar 'n duidelike behoefte is aan 'n hersiene, opgedateerde beleid om die talle veranderinge in die sosiale landskap en die media-omgewing wat sedert die ontstaan van die beleid 25 jaar gelede plaasgevind het, te akkommodeer.

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## CHAPTER 1: INTRODUCTION

### 1. Introduction

This study critically examines the policy governing broadcasting news in South Africa, with a specific focus on national television because of its wide penetration. The study inquires whether the news policy is achieving its aims. Within the frame of a democratic legal structure, all policies are intended to support the advancement of democracy. News is intended to empower people to participate in democratic processes, and ultimately in civic life. Because electronic media is regulated by policy, the study will question the effectiveness of this policy in achieving these objectives. While this may seem a simple question, reaching the answer involves a complex enquiry, to which a policy analysis model is applied as methodology.

#### 1.1 Problem statement and focus

Events and news take place within a social context (Fourie, 2007:118). This section provides the context which is the focus for this study.

South Africa is uniquely positioned as a young democracy with a mixed socio-political landscape – mixed, in the sense that it is very progressive in some senses, and hugely underdeveloped in others (Feldman, 2017; Reid, 2017a:81). South Africa has one of the most democratic and forward-thinking constitutions in the world; it has one of the three biggest economies on the African continent and is on an upward trend in many respects (Rank, 2019; Feldman, 2017). However, there is still a high level of illiteracy, widespread unemployment, and a prolific information divide (O’Dowd, 2014; Reid, 2017a:81).

A free press is essential to the functioning of any democracy (McQuail, 2010:557). As a fundamental principle of individual, political and human rights, this guarantees, through law, the right of all citizens to publish without fear of reprisal (McQuail, 2010:557). In practice, the freedom of the press is often limited by economic barriers of access to the means of publication (McQuail, 2010:557). This is certainly the case in South Africa (Reid, 2017a:81), where 25% of South Africans live in extreme poverty (Aitchinson, 2018). The objective of freedom of the press is empowering citizens to access information, opinions and beliefs, in a way that serves political democracy (McQuail, 2010:558).

This study aims to answer the question of whether the electronic news policy is achieving what it is meant to achieve: to further democracy in the country, with a specific focus on national television broadcasting. Through an examination of the various facets of the policy, the role-players, their expectations, variables, aims and objectives, the implementation processes, and finally the results and consequences, the study assesses the effectiveness of this policy regarding national television in the South African society.



Television is the most widely accessed source of news globally (Robinson, Zeng & Holbert, 2018:9; Wasung, 2018). While internet access to obtain news has increased globally in the last decade, this medium is considered complementary to television in terms of how people obtain news information (Robinson et al., 2018:286; Wasung, 2018). Even in countries with widespread internet penetration, television is still the most prominently utilised medium to access news (Robinson et al., 2018:287). Because of its ability to reach a broad audience and to showcase video content, television news is uncontested in its credibility (Cottle & Rai, 2008:346; Robinson et al., 2018:298).

Public broadcasting plays a vital social role, in that people who watch television news have been found to be more informed and to have a better understanding of issues and society than those who do not watch the news (Cushion, 2012:185). Because it is free, public broadcasting enables people to participate in civic life and make informed choices (Barker & Jane, 2016:448; Cushion, 2012:183). Cushion (2012:191) explains that public broadcasting is the most likely media system to cultivate an active and informed citizenship in a country. Globally, people are more likely to believe what they see on news shown by public broadcasters, than news shown by privately owned channels (Cushion, 2012:191; Wasung, 2018).

Despite the growing proliferation of commercial competition, public broadcasting news has shown incredible resilience in many countries (Cottle & Rai, 2008:345; Cushion 2012:192), suggesting that this medium should not be overlooked as one without longevity. The establishment of multiple television news channels has consequently led to public broadcasting news services becoming more competitive in many countries (Cushion, 2012:192). At the same time, having a wider variety of channels has been seen to enhance democratic participation, with news available in more timeslots, and on different channels (Cottle & Rai, 2008:345; Cushion, 2012:192).

In South Africa, the public broadcaster, the SABC, and its free-to-air commercial competitor, ETV, are unrivalled in their capacity to reach mass audiences in the country (Bratt, 2017; Cottle & Rai, 2008:346). They compete in a complex political landscape filled with contradictions and antagonisms between the objective to service the public with quality information, the need to stimulate development in the country, the need to implement innovation in light of globalisation, and the ambition to pursue commercial imperatives (Cottle & Rai, 2008:345).

While the question of what constitutes news has been extensively studied from an academic perspective, there is opportunity to explore how it is defined from a legal perspective. Equally, while the academic community is consistent in acknowledging how important broadcasting news is in democratic systems, there is a need to study whether the legal framework that provides for this, is sufficient in meeting expectations. This study intends to answer this question by analysing the effectiveness of the current electronic news policy in South Africa.

## **1.2 Research question and research sub-questions**

### **The general research question to be answered is:**

How effective is the South African broadcasting news policy?

### **The research sub-questions to be answered are:**

Is the broadcasting news policy relevant in the context of the South Africa society today?

Which ethical values and social order are promoted by the South African broadcasting news policy?

Does the South African broadcasting news policy contribute to democracy and political legitimacy?

## **1.3 Rationale and background**

The subject of news has been studied extensively (Deuze, 2004; Harcup & O'Neill, 2016). Stovall (2005:5) and Kovach and Rosentiel (2014:41) describe news as functional information that helps people make decisions in everyday life. From a normative functionalist perspective, the mass media are burdened with many responsibilities to educate, inform, entertain and enlighten audiences (Auwal, 2015:42; Stovall, 2005:7). People are dependent on accurate and reliable news in order to make informed decisions (Fourie, 2001:195; Kovach & Rosenstiel, 2014:41).

Society has specific expectations of news, relating to the functions that it should fulfil (McQuail, 2010:23). In previous studies, these were described as disseminating information on public matters, connecting citizens to their government and vice versa, supporting the routine work of societal institutions, respecting society's norms and values, providing useful information in times of crisis and serving the national interest (McQuail, 2010:22). Further expectations include accuracy, actuality, timeliness, acting as a guardian or watchdog, being a harbinger of events, observation and scrutiny, and reliability (McQuail, 2010:24).

In their study concerning the link between the media and democracy, Chuma, Wasserman, Bosch and Pointer (2017:110) found that although having a free media certainly contributes to democracy by keeping governments accountable and broadening citizen participation, this effect is often curtailed by unequal access to the media, and the orientation of mass media towards elite audiences. Chuma et al. (2017:110) explain how the public's normative expectations of the media are not static, but have changed many times post-democracy, and that there is opportunity to study whether the frameworks in place are sufficient to provide for a free media that truly supports democracy. This study intends to pursue this opportunity.

In their investigation into television news in South Africa, Cottle and Rai (2008:343) observed that the news is seen as a tool for promoting reconciliation in the country, acting as a platform for civic participation,

promoting nation-building, and encouraging economic development. Television news is described as playing a crucial role in encouraging public participation in democracy and encouraging citizen debate around controversial issues (Cottle & Rai, 2008:344). Although there are not many local television channels available in South Africa, Cottle and Rai (2008:345) found that the television industry is considerably more complex than it appears at face value. Their study also found the national broadcaster to be more diligent than privately owned television channels in the pursuit of nation-building and the national agenda (Cottle & Rai, 2008:345). However, it should be acknowledged that these results are a decade old, which highlights the need for current research.

Cushion's study (2012:74) which encompassed nine countries including South Africa, compared television news on public and private broadcasting to ascertain the differences. Cushion (2012:76) concludes that public broadcasters tend to focus more on "hard" news and serious stories such as those in politics, current affairs and business, while their privately owned counterparts feature more human interest or "soft" stories. The study identified a broader diversity of viewpoints and more communicative complexity reflected by private broadcasters (Cushion, 2012:76). While Auwal's (2014:14) research proposes that nation-building is largely evident in the news of the so-called Global South countries, Cushion's (2012:77) study suggests that this holds true for public broadcasters more than for private broadcasters. The question of how these varying focusses serve the objectives of news in South Africa needs to be examined. A study is also required to determine whether the electronic news policy is achieving its intended goals in South Africa, to build on this body of knowledge.

### **1.3.1 The contemporary news environment**

South African media consumption has been greatly influenced by access (Finlay, 2018:25, Wasserman, 2017). News consumption has been restricted by high costs, and other impediments (Finlay, 2018:27, Reid, 2017b). Many South Africans have not had easy access to news, or arguably, the access that they need to participate fully in society (Finlay, 2018:27, Wasserman, 2017).

South Africa has been described as having a "reading crisis" (Aitchinson, 2018; Rule, 2017). While 90% of white South Africans were literate in 2018 and 2019e, only 60% of black citizens were able to read (Newman, 2018, Rank, 2019). In an education-based survey in 2017, it was found that reading skills in South Africa lagged behind those of poorer nations such as Tanzania and Zimbabwe (Rule, 2017). In a different study that tested reading comprehension, South Africa ranked last of 50 countries (Rule, 2017). It has been suggested that South African teachers adopt an oratorical approach to teaching, with the result that learners are not taught to read with meaning (Aitchinson, 2018; Rule, 2017). Consequently, even though people can theoretically read, in reality they do not understand the meaning of what they are reading, and therefore avoid reading where possible. A substantial portion of the older generation, who were denied adequate education during the apartheid era, lack reading abilities today (Newman, 2018; Rule, 2017). These factors, combined, have a direct

effect on newspaper readership (Rank, 2019) and therefore increase dependence on mediums such as television which do not require reading.

At the same time, print media publications in South Africa were struggling to retain their audiences and revenue levels owing to the increasing pervasiveness of internet access (Finlay, 2018:22). The internet has disrupted the traditional news industry as audiences have found the online environment a functional means of accessing news and information (Finlay, 2018:16). Over 50% of South Africans have had at least some regular connectivity to the internet via mobile phone devices, while 40% of the population were in a position to access the internet on a regular basis (Finlay, 2018:2, Fourie, 2017:281). They accessed news either via news websites or via social media (Fourie, 2017:279). The result of this disparity is catastrophic for traditional print publications who have lost revenue, and in turn pay less to journalists, and produce less news (Finlay, 2018:13), leading to a cycle of decay in the traditional newspaper industry.

This decline of print media, together with disparate levels of illiteracy (Rank, 2019) and economic inequality accentuates the fact that a large part of South African society is largely dependent on traditional electronic media to access news. The country's multiple languages and widespread poverty in rural areas contribute to making the broadcast services of radio and television the primary source of news for many South Africans overall (Finlay, 2018:31). Of the 45,9% of the population who have access to newspapers, only 10% of the 56 million strong population in 2018 bought a newspaper, and 93,3% of people used television to access news (Finlay, 2018:31). While most newspapers were published in English or Afrikaans, television stations offered news in various languages (Rank, 2019).

The biggest audience for all South African television news sources was found viewing the IsiZulu and IsiXhosa news on SABC1 (Bratt, 2017). In 2017, an average of four million people watched the SABC1 bulletins daily. The English bulletin on SABC3 had approximately 445 000 viewers per day, with its competitor on ETV servicing an audience of approximately 668 000 (Bratt, 2017).

The fact that there are only two providers of free-to-access television news in the country is problematic. The state broadcaster's only competition in this regard is ETV, who operate with a distinctly commercial mandate. ETV's relationship with news presentation has been strained for many years and marked by several failed attempts to avoid having to broadcast news (My Broadband, 2017). This does not inspire confidence in the competitive environment in which news operates on television. The two also command different viewers, with SABC servicing largely lower- and middle-income viewers, while ETV commands a wealthier audience (Bratt, 2017, Finlay, 2018:31).

The combination of these factors: economic inequality, high illiteracy, the reading crisis, low access rates to print and digital media, and a multiplicity of languages, increases the public's dependence on broadcasting media as a source of information. A large segment of the voting population depends on television to access

their news in order to participate in civic society. It is therefore clear that television news fulfils a crucial role in the functioning of democracy in South Africa.

If the provision of news on these platforms is not carefully managed, democracy may suffer as a consequence. Equally, if the asymmetries of access to media in the country are not addressed, the media may end up further marginalising people (Chuma et al., 2017:106). It is clear that the broadcast media provides an essential service of news to the majority of people in the country, but there is a scarcity of recent academic enquiry, which this study addresses.

### **1.3.2 The current legal framework in which news operates**

South Africa's legal framework is delineated to support and further democracy (Fourie, 2018:32). With a long history of segregation, the legislation attempts to remedy the imbalances of the past, and encourage transformation through civic participation (Fourie, 2018:40). National policies in the country are intended to promote this ambition (Fourie, 2018:48).

Various Acts of Parliament have been passed since the inception of democracy in 1994 to ensure purposeful regulation of the broadcasting environment (Fourie, 2018:55). The Constitution of the Republic of South Africa (1996), which provides the framework on which all South African legislation is based, states that its intention is to "lay the foundations for a democratic and open society, in which government is based on the will of the people" and that it intends to "improve the quality of life of all citizens" (South Africa [SA], 1996: Preamble (1)). The role of the media in the pursuit of democracy is discussed in two places in the Bill of Rights, namely in section 16 which covers freedom of expression: "everyone has the right to freedom of the press and other media", and in section 32 which covers access to information: "everyone has the right to information that is required for the exercise or protection of other rights (SA, 1996:s32[15])." Given that universal suffrage is listed as a founding provision (SA, 1996:s1[1]), it is fair to reason that the information that is required to exercise this right is provided for.

The Constitution necessitates the creation of an independent authority to regulate broadcasting in section 192 of Chapter 9 (Fourie, 2018:52). This chapter stipulates which state organisations are required in the country to support constitutional democracy. These organisations are commonly referred to as "Chapter 9 institutions". Other organisations in this category include the Human Rights Commission, the Electoral Commission and the Auditor General (Langeveld, 2012). The Constitution specifies that national legislation must set up an independent authority to regulate broadcasting in the public interest, and to ensure fairness and a diversity of views broadly representing South African society (SA, 1996:s192). The fact that a broadcasting authority is stipulated in this section illustrates how vital the role of broadcast media is considered to be in the functioning of democracy.

Following this requirement, the Independent Broadcasting Authority (IBA) was established in 1993 (Fourie, 2018:60). However, due to the conflicting nature of its requirements to both establish and regulate broadcasting policy, it was replaced by the Independent Communications Authority of South Africa (ICASA) in 2006 (Fourie, 2018:60), whose role is to regulate broadcasting in the country (Fourie, 2018:61). On its website, ICASA's mandated responsibility is outlined in terms of acting as a watchdog of the broadcasting industry, and to provide for fairness and a diversity of views in response to constitutional requirements (Ferreira, 2018). ICASA may also issue broadcasting licences in the pursuit of this function (Fourie, 2007:20).

ICASA issues licences to broadcasting operators in South Africa (Todd, 2018) based on applications received and on regulations criteria. Licences are issued for a limited time, and carry various licence conditions (Todd, 2018). These include local music quotas, music and talk ratios, broadcast languages and the provision of news and information (Todd, 2018). The provision of information of news and information is specified in general terms as a requirement of holding a licence to operate as a broadcaster.

The ETV broadcast licence is used here to serve as an example (ICASA, 2015). This particular licence simply specifies that the station must broadcast two hours of news and information programming per week, during the period 5h00–23h00, “in a wide range of language other than English and shall make provision for sign language during the prime-time bulletin” (Ferreira, 2018). The fact that this requirement is so loosely stated is problematic. For example, it does not specify what time the news must be broadcast, when there is logically a vast difference in the available audience during peak time periods or late at night. It does not specify the required nature of the news, for example hard news or soft news, nor does it specify whether all 60 minutes need to be original, or whether, for instance, the same six-minute bulletin could be re-broadcast several times to fulfil the 60 minute requirement.

The way in which the news requirement of broadcasters is defined, implemented, managed and reported on is worthy of further examination. Because news fulfils such a vital role in democracy, and the media is regulated in a way to achieve specific objectives, a research study into the mechanisms of broadcasting news is warranted.

### **1.3.3 Theoretical points of departure**

Because this study aims to question the effectiveness of a particular policy, the relationship between the media and society is of central importance. Normative theory, which looks at how the media should operate in a society, is therefore the most appropriate theoretical point of departure.

Normative theory studies how the media and news ought to operate if certain values and norms are to be observed and attained (Fourie, 2007:205; McQuail, 2010:14; O'Shaughnessy & Stadler, 2012:89). Such values flow from the broader social philosophy or ideology in a society (McQuail, 2010:14), such as democracy. This

type of theory is valuable as it helps to legitimise media institutions (McQuail, 2010:14). It also explains the expectations that people and institutions have of the media (Fourie, 2007:205; McQuail, 2010:14; O'Shaughnessy & Stadler, 2012:89). Normative theory concerns their rights and responsibilities to serve the public interest and society as a whole (Fourie, 2007:205; McQuail, 2010:162; O'Shaughnessy & Stadler, 2012:89).

The expectations that people have of the media are sometimes formal and explicit, such as those set out by law, while other expectations are more implicit (McQuail, 2010:163; O'Shaughnessy & Stadler, 2012:89). An explicit expectation would be that of objectivity, for example, whereas presenting information that offers a particular hegemonic point of view may be an implicitly held expectation by a particular audience of a particular media outlet. The complexity of normative theory lies in the dichotomy between the freedom of expression, and the measures that are in place to control it (Fourie, 2018:33; O'Shaughnessy & Stadler, 2012:89). This dichotomy creates tension and opportunity for research.

A country's normative theories concerning its media are typically found in its laws, regulations, media policies and codes of ethics (McQuail, 2010:14). In democracies there is a close link between democracy and the role of media as a carrier of news and information (Fourie, 2018:70; McQuail, 2010:162). The state and its agencies are a legitimate source of normative expectations of the media (McQuail, 2010:163). Inclusion and equal opportunity for participation, and the independence of the media are both central to the normative theory of democracy (Fourie, 2018:71).

There are two key areas of public expectation criteria for media (McQuail, 2010:165), namely structure and content. The structure expectation results in media policy that provides for a diversity of media channels and forms, plurality, and extensive reach (McQuail, 2010:165). The content expectation includes the quality of information, the diversity of information and opinions and support for public participation (McQuail, 2010:165; O'Shaughnessy & Stadler, 2012:89). The present study will attempt to ascertain how these two aspects of expectation are addressed through the policy that governs electronic media in South Africa, with specific reference to the provision of news. While electronic media could be meeting their licence requirements structurally, as required by policy, the question of quality and plurality is a separate discussion that will be addressed.

Public expectations of public broadcasting services (such as the SABC) are sometimes even higher, because they are parastatal organisations and state-funded (McQuail, 2010:178). The public expect the content to service public objectives before financial objectives (McQuail, 2010:178). With private broadcasters (such as ETV), the expectations may be different, and more gratuitous in nature (McQuail, 2010:178). It will be interesting to see whether this general observation holds true in South Africa.



The media is considered by normative theory to be an important intermediary institution of civic society (Fourie, 2007:203; McQuail, 2010:178). The media supports the public domain through enlarging the space for debate, by circulating information and ideas that can lead to opinions, interconnecting citizens and government, and by challenging the monopoly of government over politics (McQuail, 2010:178; O'Shaughnessy & Stadler, 2012:89). Normative theory has developed over time, and in different places (Fourie, 2007:203; McQuail, 2010:192). There is no unique set of criteria for serving the public interest (Chuma et al., 2017:106; Fourie, 2018:49; McQuail, 2010:192). The application depends on time, place and circumstances (Chuma et al., 2017:106; Fourie, 2007:203; McQuail, 2010:192).

In a country such as South Africa, the expectations people have of news are influenced by the country's political history and socio-economic circumstances (Fourie, 2007:203). It could therefore be expected that the media, as well as the framework for news, is structured to address some of the historic and socio-economic inequalities among people (Chuma et al., 2017:106; Fourie, 2007:203).

This study will examine the expectations that people have of news, in the context of the policy framework in which the broadcast news media operate. The study will further examine whether the policy that is in place adequately serves the expectation held by the public, which is to support and entrench democracy. A policy provides a framework in which a system operates (Chuma et al., 2017:110). The study will examine the policy framework, in all its aspects, in order to ascertain its effectiveness in achieving what it ought to achieve. It will also describe any unintended consequences that are found as a result of the policy and make recommendations for amendments to the policy.

### **1.3.4 Methodology and research design**

Situated in the field of journalism studies, this study regarding the policy governing electronic news in South Africa makes use of a multi-methodological research model proposed by Hanberger (2001:45). Hanberger's rationale is that when a policy starts, it is unknown what line of action will be taken, and what the consequences will be (Hanberger, 2001:45). Different expectations are held by different stakeholders, at different times (Hanberger, 2001:45). Therefore, any policy being evaluated is a "moving target" as the processes at play are dynamic (Hanberger, 2001:46). This model provides a framework for real-time evaluation in a broader context (Hanberger, 2001:45), and is an effective way to bring together diverse information to establish whether a media policy is achieving its objectives. The four stages of this model, and the methodology that was used in each part, are briefly explained in the following section.

#### **1.3.4.1 Data gathering**



The first stage involves an evaluation of the problem situation. This is required in order to reach a thorough understanding of the context in which the policy operates, the actors and role-players in the situation, the way they define the problem, and relevant variables and outcome criteria of the policy (Hanberger, 2001:45).

By undertaking a rigorous literature review, the researcher explored and described the context in which the policy operates, with particular emphasis on the socio-historic-political context of contemporary South Africa. A literature review is a method through which a researcher collects and synthesises information related to a research topic, using a wide variety of sources including books, academic journal articles and media sources (Du Plooy, 2009:64). The literature review includes a study of articles that have been published in the media on this situation, to ensure thoroughness and a broad variety of viewpoints. The literature review also includes a critical study of the legislation, policy framework and policy documents which are all publicly available, in order to reach an understanding of the implementation of the news policy, what it is based on, and what it intends to achieve.

The next section of the literature review deals with the implementation process. This refers to how the policy is implemented in practice. The subjects studied in this section are the implementing organisations, their competences, the resources employed in implementing the policy, as well as any unintended consequences (Hanberger, 2001:49). In this case, the organisation is ICASA. The researcher paid attention to both theoretical and practical shortcomings related to this organisation. ICASA and its use of resources was scrutinised through document analysis. Document analysis is a method of collecting data about people, processes and organisations through documents that provide information which is of value to the study (Wagner, Kawulich & Garner, 2012:141). Since the official documentation relating to all broadcasting organisations in South Africa is publicly available in the ICASA library in Johannesburg, these are available to access. The researcher spent time in this library and studied reports including ICASA's year-end reports and financial statements, television stations' licences, and compliance reports. Documents such as government gazettes that propose legislative amendments and position papers that aggregate viewpoints on various issues were also studied.

Based on the literature review, a stakeholder map was drafted. Stakeholder mapping is a process through which the various role-players in a policy are identified and described in relation to the power, influence and interest they have in a policy (Aligica, 2006:80). The stakeholders were grouped according to Hanberger's categories of active stakeholders (those who directly try to influence the policy at different stages), and passive stakeholders (those who are affected by the policy, but do not actively participate in the process) (Hanberger, 2001:52). The stakeholder map illustrates the organisations and individuals involved in the implementation of the news policy, at various levels, and in various ways.

Because it is essential that participants from both stakeholder groups participated in the study, stratified sampling was applied as a technique. Sampling is a method of identifying individuals who are representative of, or who share characteristics with people of concern to the study (Du Plooy, 2009:108; Wagner, Kawulich

& Garner, 2012:86). There are therefore two strata in this study (Du Plooy, 2009:116), namely active and passive stakeholders.

To identify the active people in these roles, the snowball sampling approach was used, through which a few select members of the key stakeholders were approached to participate in the study. The snowball method has been found to be effective when members of a specific population are needed for a study (Wagner, Kawulich & Garner, 2012:92). The participants who were identified are then asked to suggest other participants for the study. This is a non-probability sampling technique which means that all participants in a population do not have an equal chance of being selected, but it is a cost- and time-effective method (Du Plooy, 2009:124; Wagner, Kawulich & Garner, 2012:92).

A sample of these stakeholders were interviewed using semi-structured interviews, to determine what their expectations and opinions of the policy are. These interviews took place in person, or telephonically, or using digital enablers such as Skype, depending on the location and requirements of each person. The interviews were recorded either on a phone or computer, and then transcribed by the researcher. These participants were asked to what extent they believe the intended goals of the policy are reached, whether they believe there are any unintended results, what the effects of the policy are, and who benefits from the policy. If one is to ascertain how effective a policy is, it is essential to gain an in-depth understanding from the different stakeholder groups of what their expectations of the policy are. Additionally, they were asked whether they think the policy contributes to democracy and political legitimacy in the country. The answers were recorded and transcribed in the same way. The records of these expectations, of how the stakeholders view the policy, its objectives and potential outcomes then form a crucial baseline for the study.

The passive stakeholders were randomly selected after a call for participants was published on a South African Facebook group called *I know a Guy*. The first three responders were the three that were interviewed. The interview process was identical for these participants.

#### **1.3.4.2 Data analysis**

The analysis phase of the research consisted of three components:

- analysing the information obtained in the literature review and through the interviews to answer the sub-question regarding the relevance of the current policy;
- creating a content analysis of news broadcasts on television to answer the sub-question related to the values and social order that are promoted by the policy; and
- analysing the information gathered about the results, consequences and who benefits from the policy to answer the sub-question regarding whether the policy contributes to democracy and political legitimacy in the country.

A significant area of investigation is the policy itself: its aims, directions and philosophical orientation. A policy is a line of orientation that aims to change or preserve conditions perceived as collective problems or challenges (Fourie, 2018:14; Hanberger, 2001:49). This is why the interviews extracting information regarding expectations were so important, as a policy is related to people's expectation of the problem (Hanberger, 2001:49). By undertaking a thorough analysis of both the literature related to the policy, and the information obtained from interviews, the researcher was able to describe the policy goals, and assess whether there appear to be any goal conflicts, what policy means are used, and what means could potentially be used. Responses to the question of whether the policy is achieving its aims were studied. This information was analysed to help answer the research sub-question of whether the broadcasting news policy is relevant in the context of South African society today.

The researcher completed a week-long content analysis of news across a sample of television stations to assess how the news policy is implemented in the news produced by these stations. Qualitative content analysis is the most widely practised method of communication research (McQuail, 2010:362). This form of analysis attempts to explore, describe and infer characteristics of messages (Du Plooy, 2009:213). It is a useful way to identify patterns and to reveal trends in the media, which is an ongoing area of enquiry in journalism studies (O'Shaughnessy & Stadler, 2012:21).

While watching the news on two television stations, namely SABC3 and ETV, the researcher made notes of stories, themes, presentation style, language, the inclusion of spokespersons and the use of multimedia, and recorded these in a logbook. At the end of the week, the researcher studied this information to identify trends, patterns, inferences and subtle meanings. Based on this analysis, the researcher was able to draw conclusions regarding how the channels activate their purpose in the production of news in South Africa.

ETV and SABC3 are the only free-to-air television stations to broadcast the news in English in South Africa, and they command the largest English audiences (Bratt, 2017; Cottle & Rai, 2008:347). In 2017 ETV had roughly 668 000 viewers, while SABC3 had roughly 445 000 viewers (Bratt, 2017). Bratt (2017) regards these audience numbers as "stable", which suggests frequent watching. The evening English bulletins on these two channels are regarded as the two flagship bulletins on their respective networks (Cottle & Rai, 2008:346). These are therefore the bulletins that were studied. The objective of this component of the study was to answer the sub-question of what values and social order are promoted by the policy.

ETV's weekday prime-time news bulletin broadcasts at 8 pm, while SABC3's prime-time bulletin is broadcast at 9 pm (Fourie, 2001:23). The English bulletins were selected because English is viewed as the *lingua franca*, or language that binds speakers of other languages together, and is the language of business in the country (Khokhlova, 2015:985). This may also be a weakness of this study as it does not examine the vernacular news bulletins that are watched by many of the illiterate and marginalised poor in South Africa, who choose to watch

the news in their mother tongue. The intention is that a focus on the major free-to-air English bulletins will give an indication of the effectiveness of the policy in general.

An exploration of the results and consequences of the policy forms an important part of the study. Using all of the information gathered up to this point, this section examines who benefits from the policy, and what results the policy is actually yielding. The researcher combined the literature review, results of interviews, document analysis and content analysis to form a body of information to illustrate what the news policy in South Africa is achieving. Outcomes that are manifesting purely as a result of the policy are of particular importance. Regarding the unexpected problems that came to the fore, the researcher has attempted to provide means to address these, or suggested further areas of research that could potentially yield solutions. The intention of this stage was to answer the research sub-question on whether the South African broadcasting news policy contributes to democracy and political legitimacy.

The final stage of data analysis which concludes the study addresses the research question initially posed, of whether the policy is achieving its intended purpose, to entrench democracy. By shifting focus from a micro to a macro level, the concluding section takes into account all of the information gathered and analysed throughout the study. Through close inspection of the perceived relevance of the policy, an analysis of the values and social order being promoted, and the results achieved by the policy, the researcher answers the formal research question of how effective the South African broadcasting news policy is. The researcher also highlights opportunities to develop or improve the current policy. Further research needed, that became apparent during the study, is summarised in the final chapter of this study.

## CHAPTER 2: LITERATURE REVIEW

### 2. Introduction

The next section reviews contemporary literature related to policy research, followed by the findings that emerged concerning the South African electronic news policy and its various components. As this study aims to ascertain how policy affects media performance, literature relevant to the various components that assist in understanding this performance was studied. The subheadings below were generated following the findings that emerged from the literature review.

### 2.1 Policy research

Policy research is the process of conducting research or analysis of a fundamental social problem, and the policies around it, in order to provide pragmatic, action-orientated recommendations for alleviating the problem through a policy mechanism (Thompson, 2001:63). There are various forms of policy research, such as field experiments, case studies, cost-benefit studies, participatory policy analysis, interpretive policy analysis and deliberative policy analysis (Li, 2015:26; Majchrzak, 2013:9).

Policy research has undergone three phases in its development as a field of academic enquiry (Thompson, 2001:64). The first phase was rooted in the positivist traditions of social sciences, where the intention was to apply a rational, scientific approach to create an efficient industrial civilisation (Torgerson, 1986:34). In the second phase, critics challenged this approach for being hyper-rational, in favour of a more critical-thinking orientated approach, which emphasised a direct link between policy analysis and politics (Torgerson, 1986:35). The third phase, which is the current phase where this study is positioned, is one in which citizens are involved in policy formation, and policy research includes their perspectives (Thompson, 2001:65).

There is now an abundance of literature and entire academic journals dedicated to this field of research (Craft & Howlett, 2012:80; Li, 2015:27). Government policy has been studied in various fields since the 1980s, and as such, has become an ongoing area of academic enquiry (Li, 2015:25).

Policy research asks questions about the authenticity, credibility, legitimacy and validity of the policies that govern media (Fourie, 2017:32). There are ongoing concerns over the effect that regulation has on media content and freedom of expression (Fourie, 2017:33; Litschka, 2019:71). Given the changing nature of the media landscape, media policy studies are necessary now, more than ever before, to ensure that media are regulated in the public interest (Napoli, 2008:803). Moreover, there is a need for real-time policy analysis instruments to ensure that policies are valid in today's media environment (Craft & Howlett, 2012:81; Oginni & Moitui, 2015:158).

Researchers studying policy typically study interest groups, government officials and citizens as the actors who influence and determine a policy (Li, 2015:30), however the role of the media itself in policy formation should not be undermined or excluded (Robinson, 2000:614; Shanahan, McBeth, Hathaway & Arnell 2008:116). Oginni and Moitui (2015:160) suggest that the role that social media plays in policy formulation is another relevant factor which should be included in policy analysis studies. While social media was not a key area of focus in this study for feasibility reasons, the role that the media plays was studied in detail.

Media policy analysis has been criticised for being too focused on results, as opposed to the information that was used to make the policy (Li, 2015:31; Napoli, 2008:809). A good starting point, which is often overlooked in research, is how issues are framed in a society, as this provides the researcher with a more holistic base from which to analyse the policy (Shanahan et al., 2008:115; Stevens, 2008:73). In a society as complex as South Africa, this is a valid point, which is factored into the current study.

Policy researchers agree that policy analyses need to take into account the context of the social problem; the historical, political and economic antecedents, as well as how well the policy has been implemented, taken up, ignored or co-opted in social spaces (Li, 2015:27; Robinson, 2000:616; Stevens, 2008:72). This study addresses these aspect through the literature review, and later in the research process to ensure a thorough understanding of these complexities.

Another element that features in contemporary thinking regarding policy research is that when conducting a policy study, it is essential that cognitive dynamics, which focus on society's perception of an issue, are included (Majchrzak, 2013:71). The implication of this suggestion is that researchers should include members of the public in their research to determine how the public interprets the problem, the policy and how the policy is implemented (Majchrzak, 2013:71). The present study incorporated this approach to ensure that various perspectives, nuances, approaches and deep meanings could come forth.

There are often challenges around gathering the data required to scrutinise media policy; one such challenge is the onerous demands placed on broadcasters who claim they lack the capacity or resources to provide such data (Napoli, 2008:806). The present study neither confirms nor disputes this claim, but provides useful information to broadcasters.

It is interesting to note that some researchers have become sceptical of policy research (Napoli, 2008:807). This is because policy analyses sometimes culminate in recommendations being made to change policies, without the necessary information to support these recommendations (Li, 2015:32; Manski, 2011:261). To address the concern that policy analysis may be superficial, researchers need to place emphasis on thoroughness (Li, 2015:26; Stevens, 2008:71), which is the approach followed in this study.

As is the case in many fields, there is no single agreed method to apply to policy research (Thompson, 2001:64). Therefore, researchers need to find the model that they feel will be most suitable for the policy they wish to study (Thompson, 2001:65). Qualitative policy research is recommended for studying policies around social issues as it yields in-depth information, rich perspectives and recommendations (Majchrzak, 2013:69) which is the approach taken by this study.

Policy-making processes in Africa have been described as typically conservative, because there is very little contribution or input from larger communities or people affected by the policy (Oginni & Moitui, 2015:161). This situation makes policy analysis even more necessary, to inform amendments to policies which become necessary after implementation (Oginni & Moitui, 2015:161).

## **2.2 The South African electronic news policy**

In order to understand the current electronic news policy, it is worthwhile considering its origins. In a study which describes the reform of the South African media which took place concurrently with the country's transition to democracy, Horwitz (2001:4) describes the process of transition from an authoritarian to a democratic structure, in the early nineties, as a series of negotiations between the former government regime and the newly liberated political parties. While civil activism triggered the need for change, the process that enabled the new policy to take effect was a series of compromises, based on normative expectations regarding what was needed to establish in the country (Horwitz, 2001:10). This process laid the foundations for a new democratic news policy which was not necessarily ideal, but which would serve as a base for further development (Horwitz, 2001:10).

The two key outcomes of this process that relate to the present study were the reformation of the SABC, from being the former government's mouthpiece into a nonpartisan public broadcaster, and the establishment of an independent broadcasting authority (Jacobs, Timmermans & Mgoqi, 2001:2). The Independent Broadcasting Authority (IBA), which would later become ICASA, was established to ensure the independence of the media, and governance along democratic principles (Fourie, 2018:60). These two elements, namely the SABC and the independent regulator, are both fundamental to the functioning the broadcasting media policy in the country today.

Researchers such as Horwitz (2001:340) explain that while the process of negotiation may sound suited to a democratic negotiation, it was by no means ideal because only the former ruling party, the National Party, and the African National Congress participated in the process. The other opposition parties such as the Democratic Party and Inkatha Freedom Party were absent from this process while they placed their focus elsewhere (Fourie, 2007:20). It is believed that this lack of participation and scarcity of viewpoints resulted in forming a policy that is rudimentary, the legacy of which is still evident today (Horwitz, 2001:341).



A further consequence is that attention was spread unequally between the various media sectors. The broadcasting policy specifies a regulated approach, while print media is left to be largely market-driven (Fourie, 2018:55; Jacobs et al., 2001:2). Broadcasting has increased in importance over the years owing to high illiteracy and socio-economic disparities, as this continues to be the media that reaches the most people (Fourie, 2007:20).

In the media landscape, legislation and policy are often outpaced by social and technological transformation (Ndlovu, 2015). This suggests that social or technological developments sometimes take place so quickly, that adjustments to policy can not always be made at the same pace. This has certainly been the case in South Africa, as the country now sits with an outdated policy.

Jacobs et al. (2001:7) analyse the components of how the media serve democracy, in terms of informing the public, providing means of expression, encouraging involvement in democratic life, and establishing consensus regarding the norms that govern society. Their study describes the relationship between the media and democracy as strained (as suggested by Jacobs et al., 2001:8) and largely ineffective, owing to large gaps between high turnout at elections and the low involvement of citizens in policy-making and deliberative processes. This suggests that while South Africans do vote, they are not engaged with the democratic process. This disengagement is unfortunate, since the media, which are omnipresent in the country (Fourie, 2007:13) and can be used for engagement, are regarded as central to the way that people understand society.

South Africans are dependent on the media for various reasons and are consequently affected by the way that the media is regulated (Fourie, 2007:13). The question regarding the normative nature of the role of the media is therefore how well does the media fulfil its function in society, and does it serve the public interest effectively? Following from this, the question is how the public interest is defined (Fourie 2007:14). A more detailed enquiry regarding the quality of media performance should involve asking whether the content broadcast in the media is people-centred, whether there are diverse, rich views communicated, whether the public are engaged in the media content they consume, whether the media convey social responsibility in news content and whether news is intentional and meaningful to people (Fourie, 2007:148; Wasserman, 2013:71).

Based on this line of questioning, studies by researchers such as Fourie (2007:19), Reid (2017b) and Wasserman (2017) have found that there is a large divide between the way in which those with wealth, and those without, view the media in South Africa. The poor majority still view the media as a relic of apartheid that needs further “Africanisation”, while the middle class see it as valuable tool for nation-building, and the business sector view it as a watchdog that protects people’s rights (Fourie, 2007:20). The role of the media is contested, as is the question regarding how the public interest is served (Wasserman, 2013:71). This disparity of views points to a need for further inspection of the broadcasting policy that addresses this issue.



While there is a widely held view that the lack of diversity of viewpoints portrayed by South African media needs to be addressed, the lack of diversity of viewpoints in television news is the most urgent (Duncan & Reid, 2017a:493). Television news is consumed by the greatest number of people, and this is where the majority of people access their news and information (Duncan & Reid, 2017:494). For too long the spotlight has shone on the print sector as the one in need of transformation and more diversity; however Ndlovu (2015) argues that the television news sector needs it far more urgently. During the literature review, the researcher was not able to find any evidence of the current policy aiming to improve the quality of work in television newsrooms. For instance, no evidence was found of a requirement to address aspects such as training, development or the imperative to improve news quality on an ongoing basis.

In a study concerning the media policy in South Africa, Fourie (2005:26) describes the policy as having two key goals. The first goal of the media policy is normatively orientated: to play a role in development and nation-building in the country. This goal is stated in various policy documents, which are discussed later in this chapter. The second goal is to ensure diversity, increased competition and ultimately liberalisation of the media (Fourie, 2005:26). Although liberalisation of the broadcast media has been pursued to a very limited degree, the rationale of this objective conflicts somewhat with the first goal.

This study identifies three key issues facing media policy in South Africa: competition, access to media and social responsibility (Fourie, 2005:26). The liberalisation objective of the policy has resulted in what is described as a re-monopolisation of the media with only two key players in free-to-air national broadcasting, namely the SABC and ETV. The access issue relates to the “haves” and “have nots” in the country, with vastly different access to media content (Fourie, 2005:27). The aspects of physical, financial and intellectual access are included in this issue, which is discussed in more detail later in this section. The social responsibility issue describes how important it is for the media to deliver content that reflects different and diverse viewpoints, with a shared responsibility, in order to contribute to education and nation-building (Fourie, 2005:27).

The challenge facing South African media policy is therefore to find the balance between economic, technological and cultural goals (Fourie, 2005:27). Fourie emphasises the importance of linking policy to normative theory in order to ensure holistic development, and avoid the potential trap of development that responds purely to technological developments and opportunities.

In order for normative theory and policy to serve the needs the public interest, it is essential for researchers to develop a thorough understanding of the public, through audience research (Fourie, 2010:28). This research requires an understanding of the relationship between people and the media, how people view and use the media, and how the media affects their understanding of and participation in democracy (Fourie, 2010:28).

The present literature review summarises the knowledge that is available concerning the various aspects of the policy, according to the themes that emerged.

### **2.3 Problem situation: Socio-historical and political context**

This study is situated in contemporary South Africa, which is now in its 25th year of democracy. When the new dispensation was formed, it was expected that the media would play a pivotal role in enabling public debate and both empower and encourage all citizens to participate in democratic life (Wasserman & Garman, 2014:394). However, the country is still grappling with various challenges – not least of which are unequal distribution of wealth, an increasing digital divide which is widening the gap of information access, large-scale political corruption, low levels of literacy, and high costs of accessing privatised media (Reid, 2017a:76; Wasserman & Garman, 2014:393). These challenges have a substantial impact on the way in which the media operate and are consumed. They also present opportunities for broad debate on whether the South African broadcasting news policy is achieving what it should. Although the study focuses on television, no media are consumed in a vacuum; therefore, factors such as the socio-economic environment and the broad disparities concerning access to media – which may seem peripheral – are mentioned, as they do indeed play a role.

A thorough study of work by contemporary researchers reveals the omnipresent sentiment that the country's media audience is by no means homogenous, but rather polarised into what could be described in Marxist terms as the "haves" and the "have nots". This division is delineated by access to newer media, which divides media consumption into these two distinct groups (Fourie, 2007:27; Ndlovu, 2015; Reid, 2017a:79, Wasserman & Garman, 2014:393). These disparities run beyond the anecdotal and have been described as being at crisis level (Reid, 2017a:87). This situation of civic inequality is affecting the functioning of democracy in the country, as different people access different information (Ndlovu, 2015). It is widely agreed that the country's entire population needs to be exposed to a broader diversity of viewpoints, and that the media structures and policies currently in place do not sufficiently provide for this (Duncan & Reid, 2013:487; Reid, 2016; Ndlovu, 2015; Wasserman & Garman, 2014:401).

The way that the digital revolution has affected human communication around the world is unprecedented, and South Africa has by no means escaped this phenomenon (Reid, 2017a:76). The inequalities in wealth distribution, education and literacy compound this to the extent that it has been suggested that the concept of media freedom in the country needs to be revisited in totality (Ndlovu, 2015).

Reid (2017a:84) suggests that media freedom should no longer be understood purely as the freedom that the media have to operate freely, but that the concept should be broadened to include the freedom, and therefore the means, to access and respond to all forms of media. This means that media policies should be designed to address both the ways that the media operate and how the audience is able to consume electronic news. To expand, this suggests that not only should the media be free to express their views, but that the public should

also be able to freely access that information. Equal access to media is not available in present-day South Africa, which presents a noticeable flaw in policy, and an opportunity for change. Additionally, in South Africa, the freedom of the media is under threat from intimidation, harassment and surveillance, and potential new and restrictive legislation (Finlay, 2018; Reid, 2017b; Wasserman, 2017). Leshilo (2017) found that South Africa's media are far from free, which is a proposition potentially worthy of further study.

South Africa is frequently described as a complex society (Botma, 2016:102; Duncan & Reid, 2013:487). Therefore, the default approach should not be an assumption that universal models will satisfy the country's media needs. Instead, alternative conceptual frameworks should be considered as a more effective way to address the diversity of languages, classes, education levels and other disparities in the country (Duncan & Reid, 2013:90). The researcher found the most suitable research model to incorporate what emerged from the literature review, and to be flexible, so that this study could yield worthwhile results.

## **2.4 Legislative framework**

It is important to understand what holds the policy together from a legal perspective, as broadcasting is regulated and any change to policy must be effected through legislation or official statute. The challenge is that no single central broadcasting policy document exists (Fourie, 2018:55). Instead, the legal framework that is in place to steer this policy in South Africa is comprised of four key pieces of legislation:

- The Constitution of the Republic of South Africa (SA, 1996). The Constitution mandates parliament to establish and fund an independent regulatory body to regulate broadcasting in the public interest, and to ensure fairness, and a diversity of views broadly representing South African society (SA, 1996: s192, 104). The Constitution provides the framework and philosophy upon which all legislation in the country is based.
- The Independent Communications Authority of South Africa ([ICASA] Act 13 of 2000 [as amended]). This Act establishes ICASA as the institution that licenses and monitors broadcasters and telecommunications operators, and specifies that it must perform its functions through a council-led structure. It must be independent and subject only to the Constitution and law; it must be impartial and perform its functions without fear or favour, and must act in a manner consistent with the obligations of South Africa under any applicable international agreements. The institution must also conclude jurisdiction agreements with regulators should any regulatory overlaps occur. The Department of Communication takes responsibility for ensuring that this Act is implemented, and provides the budget for its operation.
- The Broadcasting Act (Act 4 of 1999). This Act clarifies the powers and roles of the Ministers of Communication and ICASA, and provides for broadcasting to be regulated in the public interest. This Act establishes the SABC as the public broadcaster, outlines the three tiered broadcasting system, requires that

the SABC broadcasts in 11 official languages and runs a minimum number of hours of news and information-driven programming per week (De Vos, 2018).

- The Electronic Communications Act (Act 36 of 2005 [as amended]). This Act provides the legal framework for the convergence of the telecommunications, broadcasting and technology services. Additionally, it details ICASA's jurisdiction to regulate the broadcasting sector in South Africa.

The body of legislation above empowers ICASA to grant licences, monitor compliance with licence terms and conditions, develop regulations, plan and manage the frequency spectrum and protect consumers. Furthermore, the Department of Communications' policy framework forms part of the greater governmental priorities and policy, and ICASA is expected to contribute directly to the advancement of these objectives.

ICASA's annual report, 2017/2018, under the section titled "Mandate of ICASA", Outcome 14, requires that "ICASA contributes to a diverse, social cohesive society with a common national identity" (ICASA, 2018). ICASA's role in regulating broadcast media is detailed, which stipulates that this must be done with a view to nurture an equal and democratic South Africa. Furthermore, the organisation is expected to promote social cohesion and participation in democracy.

## **2.5 Role-players and stakeholders in the policy**

As was indicated in Chapter 1, there are typically two categories of stakeholders: active and passive. Active stakeholders are key actors in the policy and will try to influence the policy at some stage (Hanberger, 2001:52). They are typically policy-makers and decision-makers (Hanberger, 2001:52).

From the literature review, the researcher found that the active stakeholders in the South African broadcasting news policy process are:

- Two national broadcasters as organisations: the SABC and ETV,
- A broadcasting regulatory authority: ICASA,
- The Minister of Communications under whose portfolio broadcasting legislation falls,
- Civic groups such as the Media Diversity and Development Project (MDDP), and the Support Public Broadcasting Coalition (SOS Coalition).

The passive (indirect) stakeholders are affected by the policy but do not actively participate in the policy-making process (Hanberger, 2001:52). In this study, the indirect stakeholders are the public, who consume television news in order to obtain information and participate in democratic society. However, as explained by Fourie (2010:28), while they may be delineated as passive, their viewpoints are valid, and a thorough understanding of media audiences is essential to ensuring that media policy is effective.

## 2.5.1 Active stakeholders

As was indicated above in section 1.1, in the South African national free-to-air television landscape, there are only two players: the state-funded SABC, and the privately owned ETV which started in 1998, with news bulletins beginning in the following year (Fourie, 2007:25).

### 2.5.1.1 Active stakeholder SABC

The SABC has been beset for over a decade by financial and leadership challenges, with various turnaround strategies having proven to be nothing more than a “false start” in attempting to solve its problems (Finlay, 2018; Reid, 2017a:83). De Vos (2018) suggests that the financial woes of the organisation are so profound that there is a deliberate delay in publishing the financial statements every year. The size of the SABC audience is unrivalled in South Africa (De Vos, 2018). However, this also attracts undue interference by politicians wishing to influence the news messaging (De Vos, 2018).

One of the challenges that the SABC has been facing for decades is an unmotivated, unproductive workforce, which includes the news journalists (Kruger, 2014). Very little is invested in training the television news teams, according to Moodie (2012). Despite enjoying media freedom on paper, many journalists take a cautious approach to reporting, and SABC management regularly attempts to win government favour, instead of maintaining a healthy distance to ensure neutral reporting (Krige, 2019:24; Kruger, 2014). For a long time, SABC news journalists have been described as taking a “dull” approach, and avoiding anything provocative (Moodie, 2012).

The highly publicised strategy of former SABC CEO Hlaudi Motsoeneng in 2013 to broadcast 70% good news and submit an editorial plan to government (Kruger, 2014), is a relatively recent example of both attempting to win government favour and avoid reporting on potentially controversial issues (Mketane, 2019). These statements were made some years ago; and it will be interesting to see whether these sentiments are still relevant today. Motsoeneng’s tenure as CEO was plagued by radical interventions that defied good governance and aggravated the organisation’s financial problems tremendously (De Vos, 2018; Mketane, 2019).

A partnership between the now defunct *New Age* newspaper and the SABC news, in 2011, gave government ministers and officials a platform to speak to the public directly (Moodie, 2012; Ndlovu, 2015). This could be described as a conflict of independent news reporting.

Concerns have been expressed by civil society organisations such as the SOS Coalition and Media Monitoring Africa, that the SABC's financial struggles are being used as leverage by the Minister of Communications whose department may be trying to influence the organisation (Blignaut, 2019). With the organisation on the brink of financial collapse, the department needed to inject emergency funding to "keep the lights on" prior to the May 2019 elections (Blignaut, 2019). These organisations have also warned that dismantling the SABC will only deepen the country's digital divide (De Vos, 2018).

A far cry from independent, according to critics such as Wasserman (2017), the SABC is allegedly constantly influenced by the ruling party, and together with its dire financial state, is regarded as unable to produce independent reporting. There have been incessant endeavours to compromise the independence of the SABC news editorial direction in favour of the tripartite alliance's ideology, made up of the African National Congress as ruling party, the South African Communist Party and the Congress of South African Trade Unions (Ndlovu, 2015).

In a study which included members of the public eight years ago, Duncan reported that SABC3 news is viewed as being untrustworthy and uninteresting (Duncan, 2012:27). This study described the public's view of SABC3 news as being boring, formulaic and unengaging (Duncan, 2012:28).

### **2.5.1.2 Active stakeholder ETV**

Ndlovu (2015) contends that the focus of South African media is fundamentally flawed, with broadcast media focusing largely on government, and print media focusing on business. ETV is described as following an agenda similar to print media, trying to lure the wealthy audience, at the expense of catering to the less wealthy majority (Ndlovu, 2015).

When ETV began broadcasting in 1998, it promised to challenge SABC's dominance in the market as it was the only other broadcaster with a free-to-air licence, and was compelled by its licence conditions to broadcast news (Fourie, 2007:25). However, since its inception – perhaps because it was forced to broadcast news instead of doing so by choice – there has been a sense that the news has been produced with minimal resources and effort (Bond, 2014). The channel's initial attempts to train television news journalists and report with credibility had waned by 2012 (Moodie, 2012). What has remained consistent is an audience-driven approach, which focuses on a wealthy upper class audience, to the detriment of economically poorer viewers who find the stories covered by ETV news to lack relevance (De Vos, 2018; Ferreira, 2016).

In 2014, ETV made an application to ICASA to amend its licence conditions to enable the cancellation of its prime-time news bulletin (Ferreira, 2016), citing that entertainment-driven programming lured more advertisers. Although it lost this application, engaging in the process reflects the commercially driven perspective of the channel, which is contradictory to the public-service-driven view that is needed to prioritise

news. When the application was declined, ICASA declared that it was “not in the public interest” to allow ETV to cancel the news (Ferreira, 2016). Despite ICASA’s mandatory requirement to broadcast news at certain hours, which is specified in ETV’s broadcast licence (ICASA, 2015), surprisingly, the researcher was unable to locate any legal definition specified by ICASA regarding what constitutes news, whether the bulletins need to contain hard or soft news, local or international news, or any other quality-related requirement, during the literature review.

### **2.5.1.3 Active stakeholder ICASA**

The country’s broadcasting environment is regulated by ICASA which issues, reviews and regulates television broadcast licences (ICASA, 2019; Reid, 2017a:80). As was indicated in section 1.3.2 already, ICASA is a Chapter Nine organisation, under the protection afforded by the Constitution that includes impartiality and freedom from government interference (Blignaut, 2019; De Vos, 2018). Chapter Nine organisations are designed to guarantee that the state remains responsive to the rights and needs of all citizens (Langeveld, 2012:1, O’Malley, 2019). These organisations are subject only to the Constitution and law, and report to parliament on an annual basis (Langeveld, 2012:3). Their key objective is to implement policy in a way that best serves the advancement of democracy. Their imperative is to be sensitive and responsive to the needs and rights of all South Africans (De Vos, 2018). Additionally, no person, organ or state may interfere with the impartiality, dignity or effectiveness of these organisations (O’Malley, 2019).

ICASA is charged with ensuring that television broadcasters provide impartial and balanced news coverage, and that a variety of views must be included when conveying information relating to matters of public importance (ICASA, 2019; O’Malley, 2019). The role of the organisation is specified in the Constitution as being “to regulate broadcasting in the public interest” (Kruger, 2014, Moyo & Hlongwane 2009:282).

In 2019, the organisation attracted media attention for its public spat with Communications Minister Stella Ndabeni-Abrahams, who the organisation claimed was holding back necessary funding, and was reportedly “meddling in policy” (Blignaut, 2019; Maqhina, 2019). The chairperson of ICASA, Dr Keabetswe Modimoeng, claimed that the minister was holding the organisation to ransom by insisting on changes to policy which should be an independent process (Blignaut, 2019; Maqhina, 2019). This dispute happened despite the treasury having signed off the organisation’s budget earlier that year (Blignaut, 2019). This incident represents a breach of the constitutionally enshrined precept where the ruling party and state apparatuses are designed to be separate, and a contradiction of the autonomy of Chapter Nine organisations. While exactly what transpired behind the scenes is yet to be clarified, this incident does raise alarm concerning the impartiality of the organisation. A similar incident happened in 2001, which also was also described as indicative of a lack of both competency within and independence of the organisation (Makhaya, 2002:18). These incidents indicate a lack of independence at least at some stage.



ICASA's regulation of news provided by licensed broadcasters to ensure quality and diversity has been sorely lacking, according to Govenden (2009:15). The organisation has never made the effort needed to delve into the quality aspect of news (Govenden, 2009:17), which has led to a spiral of decline in both resources and output in newsrooms.

Based on observation and experience, there are mixed views regarding the effectiveness of ICASA. This perception will be scrutinised in further detail later in this study.

#### **2.5.1.4 Active stakeholder the Minister of Communications**

Stella Ndabeni-Abrahams was appointed Minister of Communications in 2018 (Cowan, 2018). In the 21 months prior to this appointment, the country had already had five Ministers of Communications (Wasserman, 2017), and it was anticipated that she would bring "youth and vigour" to the portfolio (Nevill, 2018). It was also announced that the Departments of Communications and Telecommunications would merge under her leadership after the 2019 elections (Cowan, 2018). Having had a long career in the African National Congress, her appointment was welcomed by opposition parties including the Democratic Alliance and the Economic Freedom Fighters (Nevill, 2018). Her highest qualification is a university diploma (Cowan, 2018), which is in contrast to the postgraduate-qualification-embellished ICASA committee. It was predicted that Ndabeni-Abrahams' key priorities would be bringing stability to the Department of Communications, fixing the problem-ridden SABC and rolling out the digital terrestrial television system in the country (Nevill, 2018). It will be relevant to follow the progress of these developments.

As with all state ministers, there is no shortage of opinion regarding her adequacy to fulfil her role; however, two recent incidents stand out as noteworthy. In 2018, there were frequent reports of the minister overstepping her boundaries in relation to the SABC (Qukula, 2018). In 2019, it was reported that Ndabeni-Abrahams censored journalists at an African National Congress conference, which is surprising in the democratic context (Van Damme, 2019).

#### **2.5.2 Passive stakeholders**

Most South Africans are limited in their media consumption choices, and as a result, their news consumption is dominated by the SABC (De Vos, 2018). However, the national broadcaster, which commands the biggest audience of all media houses in the country, is – according to its critics – plagued by ongoing political pressure and leadership crises (De Vos, 2018; Kruger, 2014; Wasserman, 2017). As a result, staff lack the confidence to take risks and innovate and the organisation's news department does not operate an effective investigate operation (Reid, 2017a:79). This suggests that the public consumes a watered-down version of the news, and cautious news reporting.



Research has shown that the media in South Africa are not well trusted by the poor and the youth (Wasserman, 2017). This is partly because the media are generally associated with the interests of the wealthy elite (Ndlovu, 2015). This sentiment may also be a consequence of television media often favouring voices of “authority” such as policemen or politicians when reporting incidents such as community protests, instead of interviewing the people directly affected by the issue (Reid, 2017b).

A study in 2014 showed that the media may even be contributing to a sense of disengagement and powerlessness felt by young citizens in this country (Wasserman & Garman, 2014:393). The youth who were interviewed during the study said that participating in violent protests was a far more effective way to influence change in society, than engaging in debate via the media (Wasserman & Garman, 2014:395). These respondents believed that free-to-air television news only paid attention to events in urban areas, neglected occurrences in rural parts of the country, dedicated too much time to politicians, and carried too much bad news (Wasserman & Garman, 2014:401). These facts have caused young people’s interest in the medium to wane. The only redeeming feature that emerged was that they appreciated the immediacy of television news (Wasserman & Garman, 2014:402).

South African society has been described as being characterised by “creeping authoritarianism” (Wasserman, 2017). The media landscape is affected by frequent fake news, propaganda and spin; therefore, the media need to regain the trust of audiences (Wasserman, 2017). It has also been suggested that the South African media, in all categories, need to interrogate their own relationships with the audience, pay attention to the complexities involved in forming new relationships, view the audience as citizens instead of consumers, and be more responsive to their needs for engagement and news that they find relevant (Wasserman & Garman 2014:405). This suggests that the media need to direct their attention to the needs of audiences, in order to gain their confidence, if the news produced by broadcasters is to be effectively received.

## **2.6 Policy aims and directions**

Grounded in normative theory, this study questions the effectiveness of the current broadcasting news media policy in South Africa. It is therefore relevant, as a starting point, to examine the aims and directions of the policy.

The aim of pluralistic media in a democracy is to enable citizens to participate in democracy and to exercise their human rights (Reid, 2016, Fourie, 2018:71). The Constitution stipulates that legislation in the country should lay the foundations for a democratic and open society, and that the media should cater for the right that people have to access information (SA, 1996:s32[15]). It also specifies the necessity for an independent broadcasting authority to regulate broadcasting in the public interest (SA, 1996:s192[104]) and ensure a diversity of views that represent South Africa society (SA, 1996:s92[104]).

The logic which grounds the broadcasting news policy is that the broadcasters are obliged, by their licence conditions, to broadcast a certain number of minutes of news in prime time, and in non-prime time per week. Licences are temporary, and applying for renewal involves showing that the conditions of the licence in the previous period have been met. Broadcasters also need to submit compliance reports every year, detailing this information. This annual report is one of the conditions required to operate the licence, and to broadcast in the country. There is no specification of whether the news broadcast should be hard or soft news, local or international news, or any further detail about news contents. Television stations are required to create and implement their own editorial codes to ensure appropriate decision making in the organisation, however, these requirements lack detail. Additionally, there is no requirement specified for training or development of journalist staff.

The recent autocratic tenure of Hlaudi Motsoeneng as chief operating officer of the SABC from 2011 to 2017, shows how fragile the freedom of the media is in the country (Krige, 2019:44) by demonstrating how quickly these editorial codes can be altered (Milton, 2019). Without any external permission or formal process, Motsoeneng was able to change the news editorial code rapidly, to one that contravened the constitutional freedoms of the press, of expression and of access to information (Mketane, 2019). The new code censored news journalists in various ways (Krige, 2019:36). Without expanding on the detail, a group of journalists who resisted the new policy started a formal process to address this via ICASA, who instructed that the new policy be disregarded, and returned to the previous one (Krige 2019:35). When the SABC was asked by ICASA to respond to the ruling by confirming that it was taken as ordered (Krige, 2019:69), the SABC ignored the instruction, and to date has still not responded (Krige, 2019:69).

The SABC suffered a similar, incident, albeit on a smaller scale a few years prior, when the former head of news, Snuki Zikalala, imposed a different form of censorship by blacklisting certain independent commentators from appearing on television (De Waal, 2011). In this instance, the Freedom of Expression Institute became involved, and had to take the matter to the high court after ICASA failed to engage in the situation. The court declared the actions of Zikalala unlawful, and instructed ICASA to launch an investigation into the proceedings (De Waal, 2011), which ultimately led to rectification.

Both of the SABC instances described above reveal that manipulation of the news process is possible, and editorial policies can be flouted very quickly. At the same time, it shows that tremendous effort is needed to rectify such a situation. These lengthy endeavours require assertive people, who have time and resources, and who are willing to stand up to an organisation like the SABC, at their own peril. These instances are also evidence that self-imposed codes are exactly that: self-imposed (Krige, 2019:34). While the broadcaster codes are meant to activate and implement constitutionally guaranteed freedoms, extensive external intervention is needed when the ideals that they represent are threatened. At the same time, the Broadcasting Complaints Commission of South Africa (BCCSA) code of conduct is insufficiently detailed to ensconce the objectives of the policy effectively (Reid, 2019).

## 2.7 Gaps in the field of research

There is tension between the media and the government, between the media and the public, and within the media itself because there are conflicting views regarding the role of the media in South African society (Fourie, 2018:71). Compounded by the fact that South African society is changing all the time, and that it is by no means homogenous, it would be remiss of a policy study to simply follow a classical, linear approach regarding media performance, quality and nation-building. Instead, a more rigorous study that analyses the different roles that the media plays for its differing audiences, cultures and groups is required. The role of the media in telling the South African story and its performance in the acknowledgement of differences (Wasserman, 2013:80) needs to be highlighted in future research.

This study incorporates the recommendation of Fourie (2010:185) that there is a need for more policy research in South Africa in general, as well as policy research that links normative theory to media policy. Consequently, this study is grounded on communicative needs and goals, instead of on media performance in terms of technological developments.

Fourie (2010:185) believes that many of the problems regarding the implementation of media policy can be ascribed to a lack of knowledge and skills regarding how to translate, use and implement such policy in the workplace, which in this case refers to the news room. This aspect of the study is addressed in a section that examines tendencies in news rooms. Additionally, Fourie stresses the urgency of audience research in the country, which is why the audience is included in the field research, although not to the extent that is recommended, for pragmatic reasons.

## CHAPTER 3: THEORETICAL FRAMEWORK

### 3. Introduction

In this study, normative theory is applied as a means to understand the relationship between the media and democracy. Within the democratic framework, the media are intended and expected to serve a specific purpose, often understood as an ideal role in society (O'Shaughnessy & Stadler, 2012:89). This role can be analysed and understood by applying normative theory (Fourie, 2017:13).

Normative theory frequently features in policy research as it provides a useful approach to analyse the relationship between policies that are in place to regulate societal institutions, such as the media, and the outcomes of such policies (Wasserman, 2013:70). By providing prescriptive functions, this theory enables researchers to apply rational standards to analyse whether policies are effective, against a set of expectations (O'Shaughnessy & Stadler, 2012:90).

This study accepts that media policy which regulates the normative standards of the broadcast media can contribute to an informed society and improve democracy. The argument is that the policy will improve the performance of the media in South Africa. With this as a departure point, this study aims to ascertain the effectiveness of the current policy related to electronic news.

In order to situate normative theory in this study, this chapter starts with an overview that describes the theory, and briefly outlines four normative models. This overview is followed by a description of sources of normative obligation, which help explain the basis for decision-making using this theory. The following section describes the media's public service role which needs to be understood, so that normative theory can be applied effectively. A short section regarding freedom of the media concludes this chapter, because, albeit that this theme is not central to this study, it would be remiss for any study concerning the media and democracy to overlook this aspect of democracy.

### 3.1 Normative theory

Normative theory developed in the 1950s as a way to study the impact of the media on society, originally in a study by Siebert, Peterson and Schram (Fourie, 2007:191). This provided a method to assess the relationship between the media and society, and subsequently developed into a yardstick for the measurement of media freedom and effectiveness in society (Fourie, 2007:191).

Studies applying normative theory, such as this one, scrutinise how the media ought to operate in society, in order to achieve certain goals (McQuail, 2010:567). Normative theory looks at the ideal role that the media should play in society within a set of assumed norms and standards for correctness (O'Shaughnessy & Stadler,

2012:89). Both Fourie (2010:174) and Wasserman (2013:72) stress that normative theories are contextual and historical, and therefore have to be applied within specific circumstances, which is exactly what this study does.

As was indicated in Chapter 1, the objectives and social values people expect the media to reflect stem from the broader social philosophy or ideology in a society, such as democracy (McQuail, 2010:14). The mass media are expected to serve a social purpose such as to disseminate information, express various viewpoints, empower people with information in order to form opinions, and stimulate public debate (Fourie, 2017:13; Goodman, 2004:1342). Normative theory refers to the rights and responsibilities that underlie these expectations of benefit from the media to individuals and society (O'Shaughnessy & Stadler, 2012:89). The expectations that the media must fulfil within the South African democracy are central to this enquiry.

In South Africa specifically, it is important to carefully examine the normative approach given the fact that the country has one of the most liberal constitutions in the world, yet it is plagued by extreme socio-economic inequalities which threaten this democracy (Fourie, 2007:178; Chuma, Wasserman, Bosch & Pointer, 2017:107). The notion of the media–democracy paradigm, in which it is believed that the media and democracy are inextricably linked, is one of longest standing hegemonic approaches to explaining the media's role in society (Chuma et al., 2017:108). South African society is more complex than it appears at face value, which complicates questions regarding the media's role (Wasserman, 2013:71). Therefore, regular and thorough studies regarding the structures serving democracy are essential.

Normative theory is important as it plays a role in legitimising media institutions, and it shapes the expectations that the audience have of the media (McQuail, 2010:14). The concept of behaving in the broader public interest is central to the present study (Fourie, 2017:12). However, exactly how the positive objectives of media activity affect broader society is not always clearly articulated (McQuail, 2010:162). This poses questions regarding how effectiveness is defined, which is worthy of further investigation.

Democracy thrives when people engage in public life and in different types of political action, and this ability hinges largely on having a free and fair media (Fourie, 2017:113; Stromback, 2005:335; Wasserman, 2017). The normative expectation is that through the media, people will be able to find the information they need to understand a particular issue, link factual conditions, underlying moral values, and find proposed solutions based on an understanding of the likely consequences (Reid, 2017a:79; Stromback, 2005:337). This study supports the notion that effective media policy enables the media to perform well in democracy.

Other aspects concerning the effectiveness of the media, which this study does not address in detail, are nonetheless valid to mention. First, it is believed that a free and democratic media will add value to democracy by keeping governments accountable and increasing citizen participation in democratic debates (Chuma et al.,

2017:104). Second, in young democracies such as South Africa's where the nation's identity is fragile, the media are not always as neutral as they should be in theory (Chuma et al., 2017: 106).

### **3.2 Four models of normative media theory**

McQuail (2010:184) proposes four models or structures for normative theory to operate within the media. While the word "model" is usually a descriptive part of a theory, McQuail (2010:184) explains that he uses the term loosely in this context, to refer to the interrelated sets of typical features of a media system with an underlying normative principle. Some of these features may overlap, but the four models serve merely to provide a group of features to help delineate the different approaches.

The first is the *liberal-pluralist* or *market model*, which recommends that the media should be entirely free from any legislative restrictions and operate through self-regulation, in response to the market's needs. In this way, there is a free marketplace of ideas and business operations (Fourie, 2017:12; McQuail, 2010:185).

The *social responsibility* or *public interest model* specifies that the media serve a higher social purpose with high standards of self-regulation. While state intervention is not excluded, the media are held accountable to society and the public by going beyond self-interest (Albarran, 2013:52; Thussu, 2000:220).

The *professional model* proposes that the media inherit the past struggles for freedom and democracy and, as such, are best placed to hold the structures and those in power accountable by providing diverse views, while voluntarily adhering to the standards of journalism or media industry bodies (Albarran, 2013:53).

Finally, the *alternative model* provides for a range of non-mainstream media that operates at grassroots level, rejecting universal rationality and industry norms. This model instead makes provision for subcultures with their particular values and promotes inter-subjective understanding, and a sense of community (Barker & Jane, 2016:554).

The normative model that applies to the media in South Africa is a combination of the second and third models described above. This is because the media are expected to fulfil the higher purpose of enabling democracy to function, but still grapple with past struggles for freedom and issues associated with this, such as mixed levels of literacy and access to media (Wasserman, 2013:76). At the same time, community media are present in the country. The South African media are positioned to provide diverse views, while they concurrently adhere to press codes.

### **3.3 Sources of normative obligation**

In order to address whether a policy is effective in the context of enabling democracy, it is important to understand the origins of public expectations.

A society's norms are reflected in the laws, regulations, media policies, codes of ethics and the substance of public debate (Goodman, 2004:1389; McQuail, 2010:14). The sources of normative obligation often stem from the historical context that has shaped the role of the media in a particular country (Reid, 2016; McQuail, 2010:162). In most democracies, this has led to the widely shared view that the media contribute to the functioning of democracy by providing information and helping people form opinions (Fourie, 2017:12; O'Shaughnessy & Stadler, 2012:89).

This link between the media and democracy is seldom constitutionally entrenched (McQuail, 2010:162). However, South Africa (along with Germany) is an exception to this phenomenon. The freedom of the press and other media (SA, 1996, Chapter 2, Section 16, 1a) and of an independent broadcasting authority (SA, 1996: Chapter 9, S 192) are both provided for in the Constitution, which specifies the framework that guides legislative structures. Although the provisions made are briefly stated, these constitutional specifications place the media in a fortunate position, and serve as the legal or state-driven source of normative obligation. Technically, this places the media in a position where they can freely express opinions about the government without fear of punishment. However, it is unusual to find large and well-established media that overlook respecting the legitimate wishes and interests of the state entirely, even if the right to criticise is protected (McQuail, 2010:163).

The present study draws on public opinion, which is a powerful source of normative expectations regarding how the media should operate, and leads to a nexus of relationships between the media and their audiences (McQuail, 2010:164). All media serve a particular audience, and in today's technologically driven era, there is tremendous market pressure to keep audience ratings high, so as to retain advertisers (Goodman, 2004:1469; Fourie, 2017:12). Additionally, there is ongoing pressure to operate within a hegemonic perspective, or socially acceptable parameters, failing which, audiences will express their concerns on social media or in other ways (O'Shaughnessy & Stadler, 2012:22). Tension between the media and their audiences is seldom viewed positively and puts the media at risk of losing an audience, which could have devastating financial implications (Goodman, 2004:1467; McQuail 2010:164). This study examines this relationship between public expectations and whether the South Africa media accomplish what is expected.

Powerful organisations and individuals also play a role in shaping expectations, as they are affected by what the media do and say (Fourie, 2017:15). This is because their reputations and businesses can be affected by the news, and they therefore need the media to serve their own interests. Advertisers place significant pressure on the media to avoid expressing views that may harm their reputations, or the standing of their products in the market (McQuail, 2010:165).



These combined factors cause the media to operate in an environment filled with expectation and scrutiny (Fourie, 2017:14). Paradoxically, the independence of the media is legally protected; however, they operate in a complex context, in which they are still expected to behave in a particular way.

### **3.4 The media and the public interest**

The broad term “in the public interest” is frequently used to position the role of the media in society (McQuail, 2010:163), and is crucial to this study. While the term may appear simple, it is in fact layered with expectations from various perspectives (Fourie, 2017:13; Goodman, 2004:1390; Stromback, 2005:332). In South Africa, there are sometimes contested views regarding what the public interest is, whose interest it actually serves, and how exactly these interests are served by the media (Fourie, 2017:14; Wasserman 2013:71). This complexity is examined by this study.

Journalism is seen as central to the functioning of democracy by providing information for citizens so that they can be free and self-governing, by providing the government with information regarding common sentiments, and by acting as a watchdog against the abuse of power in politics (Chuma et al., 2017:105; Stromback, 2005:332). At the same time, democracy is not a simple concept (Reid, 2016; Stromback, 2005:333). The relationship between journalism and democracy is in fact mutually dependent, as each needs the other to operate effectively (Stromback, 2005:335).

The notion of the media operating in the public interest suggests that the media carry out certain essential tasks in society and that it is in everyone’s interest that these tasks are performed well (McQuail, 2010:164). It also implies that the media should operate according to the same principles as the rest of society regarding justice, fairness and accepted notions of social and cultural values (McQuail, 2010:164). However, there are often conflicting views of what is best for society as a whole (Fourie, 2017:18; Goodman, 2004:1490), which is certainly the case in South Africa, and worthy of further enquiry.

Media businesses that are privately owned are naturally profit-driven and they make decisions based on commercial imperatives, while being acutely aware of what the public expects and wants (Goodman, 2004:1453). This means that they tend to view the public interest as what is of interest to the public, in order to grow their audience, which would enable them to make a larger profit (Fourie, 2017:12; Goodman, 2004:1454).

Public interest tends to be implemented in one of two ways: structure and content, meaning the way that media organisations are structured, and the content they create. These are the two areas that are governed by policies and laws (McQuail, 2010:62). The structural component encompasses ownership, geographic reach, and diversity of channels. The belief is that if there are many different media owners, there is a greater chance that the public will benefit from more diverse viewpoints (O’Shaughnessy & Stadler, 2012:15). The intention of



ensuring diversity is reflected, for instance, in the broadcasting legislation that puts restrictions on how many radio or television stations one company may own, and in restrictions regarding owning various types of media.

Specifications regarding content include the types or genres of content that must be broadcast, how much news content must be broadcast, and the quality of that content (McQuail, 2010:165). Content that supports the public interest is expected to provide diverse opinions, support public order and the law, support the democratic political system, respect human rights and avoid harm to society and individuals (O'Shaughnessy & Stadler, 2012:37). It is also expected that media content should reflect the diversity of society, especially the key dimensions of region, ethnicity, culture and political views (Albarran, 2013:42). The way in which the broadcasting policy's licensing system attempts to enforce this is addressed in this study.

Wasserman and Garman (2014:396) add another dimension to the normative expectation in the South African context, by recommending that not only should the media reflect a diverse range of views, but that the media should also provide a platform for reciprocity. This means that the media should listen to the views of all South Africans, including the poor, who these researchers believe have become disillusioned by the media owing to their lack of representation (Wasserman & Garman, 2014:397). This expectation is certainly worthy of further inspection, but will not be addressed in this study, for time management reasons.

### **3.5 Freedom of the media**

An additional normative concern in media research is often how media ought to use the freedom that they have (McQuail, 2010:42). As already stated, having free media is seen as central to the effective functioning of democracy (Stromback, 2005:331; Wasserman, 2017), for many reasons, including holding those in power accountable, and providing a watchdog role in the country. Reid (2017a:75) reiterates that the freedom to access the media is unfortunately regularly overlooked in the context of debates around the freedom of the media, and this freedom is of equal importance. The economic and social inequality in the country lead to vast disparities in the choices that people have to access media, and therefore the information received by people varies greatly across the country (Reid, 2017a:76; Wasserman & Garman, 2014:395). This inequality adds another layer of expectation.

Both Reid (2017a:91) and Stromback (2005:335) stress that there is no one-size-fits-all approach to the proposition that the media should serve democracy. These researchers believe that each democracy has its own heterogeneous audience and particularities that should be understood in detail, so that the normative expectations of the media can be contextualised according to the goals of each country. The present study specifically examines the effectiveness of the broadcasting policy in the context of the South African democracy.

## CHAPTER 4: METHODOLOGY

### 4. Introduction

Situated in the field of journalism studies, this study employs a qualitative research design to conduct a policy analysis intended to understand the effectiveness of the news broadcasting policy in South Africa. A policy analysis, which is a form of qualitative research, was selected for this study as it provides a way to approach the intersection of normative theory, media and democracy.

Qualitative research is a useful method of analysis when the research question does not necessarily have a statistical or mathematical answer, but rather concerns itself with looking at the relationship between phenomena and understanding a social situation (Wagner et al., 2012:124). Qualitative research is appropriate when the researcher is looking for the meaning generated by a situation through, amongst others, participant observation, interviews and content analysis (Baker & Jane, 2016:36). It is also a suitable approach to understand perceptions, discover new insights into topics, describe the experiences of people, or to explore phenomena about which very little is known (Wagner et al., 2012:125).

In this case, the study looks at various aspects of a policy, specifically to what degree expectations are being met and whether there are gaps that should be addressed. This is therefore a suitable method and the answers to this enquiry are descriptive in nature.

In the literature review, it emerged that there is no simple or universal formula for policy analysis. Researchers tend to agree that policy research studies should be flexible while being multi-faceted, rigorous, in-depth and thorough. Other factors that need to be considered are the social context of the study, an understanding of how the relevant issues are framed in that society, the role the media play in the policy, non-governmental components of policy-making, the impact of new technologies, and the inclusion of public opinion as an element of discussion.

A common thread that emerged during the preliminary study was that it is of utmost importance to any policy study to tailor its research approach to the field or industry in which the study is situated. Further to this, the customised research design for the study must be grounded on an understanding of the social context of its study. The social context was studied in detail during the literature review and taken into account while the researcher crafted the research plan that would be followed to interrogate the policy.

As was indicated in Chapter 1, the researcher came across Hanberger's (2001) model during the literature review. This model (Hanberger, 2001:45) provides an applicable framework that satisfies all the criteria mentioned above, and allows for a flexible approach. Using this model as a structure for the research, three key research interventions were undertaken: a document analysis, a content analysis and a series of interviews.

These three interventions were used to gather information that would help answer the research questions, using the thought process and framework provided by Hanberger's model.

The following section provides more information regarding this research model, and describes the methodology that was applied to the study.

#### **4.1 Hanberger's model for policy analysis**

Swedish communications and policy researcher Anders Hanberger proposed a policy analysis model in 2001 which offers a framework for post-positivist real-time evaluation of a policy. While the study may seem dated, the research methodology proposed by the study was fitting for this study as it satisfied all of the considerations that emerged in the literature review. After reviewing several frameworks, this one was found to be the most suitable. The enduring quality of Hanberger's model lies in its open framework combined with an approach that encourages adaptation.

The strategic thinking underlying the model is that when a policy starts, people understand the intentions of the policy, but not how it will eventually be implemented (Hanberger, 2001:45). Policy analysis is therefore a continuous process, which needs to facilitate the interpretation of a policy in its broader social context, at a given moment. Hanberger proposes that policy studies need to examine the content of different policy components, such as the values and social order that a policy is promoting, people's expectations of what it should achieve at that time, and perceptions of what it is actually achieving (Hanberger, 2001:46).

The intention is that the policy be scrutinised from different viewpoints, using various techniques (Hanberger, 2001:47). At the same time, using this approach, researchers must add research interventions that they believe will bring the intended and unintended effects of the policy in a country to the fore (Hanberger, 2001:47). In this way, the research needs to use an open evaluation framework, a mix of criteria and broad interpretation in a multi-methodological approach. As was already discussed above, Hanberger's framework divides a policy study into four key elements: the problem situation, the policy itself, the implementation, and the results and consequences of the policy (Hanberger, 2001:48). These elements were used to guide the researcher's thought process, and to structure the information presented in the findings.

Since the first research sub-question asks whether the broadcasting news policy is relevant in South African society today, the first step in the research involved examining the socio-historical context in which the policy operates, as this sets the tone for the rest of the study. In order to understand the problem situation, the researcher undertook an in-depth literature review, scrutinising a broad range of academic journal articles, media and contemporary writings related to the context of the policy, specifically the South African media environment. In order to understand the origins of the policy and the context in which it was created, the researcher also studied works such as those by Horwitz (2001), who was present as an observer while the

policy was formed during the democratic negotiations, and documented many aspects of its creation. In this way, the researcher was able to understand the social context of the policy and identify the direct and indirect stakeholders who are affected by the policy. These stakeholders were grouped according to Hanberger's definition of direct and indirect categories (Hanberger, 2001:52), in a stakeholder map which is included in the chapter five. The expectations that these stakeholders have of the policy, and how they understand the role of the policy in the country was addressed at a later stage in the research process through interviews, which are expanded on later in this chapter.

The policy itself, which is the other component of the first research sub-question, was closely examined during the literature review. The second chapter involved an in-depth analysis at the goals of the broadcasting news policy, the theory underlying the policy and the means taken to implement the policy. This involved studying legislative documents and literature related to the policy itself. The researcher completed a thorough search of materials available on various library databases and government databases to ensure that all of the information that is currently available on this topic was included. The works of contemporary researchers such as Wasserman (2017), Reid (2016) and Duncan (2012) were found particularly useful, as were other studies regarding the broadcasting news policy, together with articles published in the media. The researcher studied these, noting salient points and underlying themes.

The implementation process which addresses the next sub-question regarding the values and order promoted by the policy, formed the third step of the study. The researcher approached this aspect through document analysis, which helped to understand the exact line of action that is employed to execute the policy, how the implementing organisation, ICASA, works in practice, whether enough competence is integrated into the organisation, whether resources are used effectively and whether unexpected problems occur as a result of the policy.

The last step of the research involved studying and compiling the results and consequences of the policy, establishing whether the policy achieves its goals, what the effects of the policy are, whether there are unintended consequences, what values and social order are promoted through the policy and whether stakeholders' expectations of the policy are met. This was also part of the process to answer the third research sub-question, namely what values and social order the policy promotes. There were two steps in this element, data gathering and data analysis.

#### **4.2 Document analysis - Documents related to the policy**

This step involved studying documents such as the ICASA annual report, ICASA position papers, the National Association of Broadcasters (NAB) State of the Broadcasting Industry report, broadcaster codes of conduct, and recently issued government gazettes relating to the broadcasting news policy. The researcher spent time in the ICASA library in Johannesburg studying these documents, making careful notes of information that

relates to the policy. In cases where documents such as recent compliance reports were not available online or in the ICASA library, the researcher formally requested these from ICASA librarians via email. The document analysis was done in the same manner as the literature review, whereby the researcher undertook extensive reading to find information that is specifically relevant to this study, noting conspicuous details, and following a search for information that would assist in answering the research question.

### **4.3 Content analysis – Television news bulletins**

As previously explained, a content analysis of television news bulletins of the two free-to-air broadcasters was undertaken over the course of a week. SABC3 and ETV were selected as they are the only two free-to-air broadcasters providing news nationally in English.

This step refers specifically to the television broadcasts that were studied through a process of qualitative content analysis. The rationale for this is that one cannot study the effects of a policy without examining the media content output which the policy is intended to govern. The researcher determined that watching the news is how most South Africans experience the results of this policy, and the content of the news is a by-product of the policy. The researcher hypothesised that a content analysis of the news bulletins across the two free-to-air broadcasters which examined their news values and news content production, would provide a snapshot of the news that South Africans are served, and provide clues which indicate how these broadcasters view their role in the production of news.

Content analysis, referring to the qualitative examination and study of media content (Du Plooy, 2009:58), is the most widely used technique in communication research (McQuail, 2010:362). This method of analysis explores, describes and infers characteristics of media messages (Du Plooy, 2009:213). Using this method, the researcher records the frequency with which certain symbols or themes appear in the media in order to determine how much space or time is allocated to different themes (Du Plooy, 2009:214). It is an effective approach to reveal patterns and to expose trends in the media (O'Shaughnessy & Stadler, 2012:21). Using this method, the current study aimed to explore television news content, specifically determining which ethical and social values are reflected, and to describe the way in which these values are manifested. This intention is based on the research of Harcup and O'Neill (2016:1464) which contends that examining news outputs is a constructive way to uncover the news values that are in effect, and points to the values that were applied when selecting the stories.

This content analysis took place in a one-week period in October 2019. During this week, the prime-time news bulletins of SABC3 and ETV were scrutinised every day, using Du Plooy's (2009:220) method of content analysis. Du Plooy's approach involves the researcher compiling data by means of observation, after drawing up a sample and identifying the most suitable unit of analysis, which is then studied to mine the data for patterns that lead to meaningful information (Du Plooy, 2009:217).

The researcher was interested in the common thought patterns emerging, and created a table to list all of the prominent values as they appeared. This is the same method that Harcup and O'Neill (2016:1476) recently used in their study of news values in England.

By applying this method, the news bulletins on SABC3 and ETV were scrutinised. The subject of every news story in each bulletin was recorded and subsequently assigned a value, or more than one value where applicable, in a log sheet. This process enabled the researcher to gain an impression of the overall trends. The occurrences were not analysed mathematically, but rather used to gain an overall view. Thereafter, the researcher was able to analyse the data pertaining to the values that dominate the news on each channel, and to assess how the channel is performing its role in the production of news in the country.

At the same time, the researcher carefully monitored elements such as the tone of language used in the bulletins, presentation style, the inclusion of multimedia, and the selection of spokespersons who were given the platform to comment on news events. After every news bulletin, the researcher made notes regarding how these elements were incorporated and what could be deduced. The researcher recorded any specific phrases that stood out, and the different communication styles used by the two channels.

Each story within the news bulletins was regarded as a unit of analysis. The subject of each news story was written down, and the themes or values of each one recorded in the column next to it. The business, finance, sports and weather sections of the news were not included, so that the study could focus on the current affairs oriented news of the day. Through this method, the researcher obtained an overall picture of which values featured prominently across the two channels and of the trends evident in their content.

#### **4.4 Data gathering – Qualitative interviews**

Qualitative interviews were done with direct and indirect stakeholders, in part addressing the third research sub-question of whether the South African broadcasting news policy contributes to democracy and political legitimacy. It was also the method used to determine whether there are any unintended consequences and gaps that need to be addressed (see the study's conclusion in Chapter 6).

Qualitative interviewing is the process undertaken when a researcher seeks to describe social phenomena in terms of the meaning that these phenomena have for study participants (Wagner et al., 2012:272). These interviews were qualitative in nature as the researcher did not seek to obtain facts, but rather opinions and perceptions.

The researcher used a semi-structured interview approach in which open-ended questions were asked, and participants were encouraged to add more information or opinions at any stage during the interview (Du Plooy, 2009:196).

In order to secure participants, the researcher used the stakeholder map as a base to identify organisations in the direct stakeholder category, and then contacted the organisations via email to ask who the appropriate person with which to conduct the interview. The snowball sampling method was used to find the people that would participate. This approach is when the researcher asks participants who are interviewed to recommend other people they know to be interviewed for the study (Du Plooy, 2009:124). A total of ten people were interviewed for the study, which ensured that all categories of stakeholders were covered with sufficient depth to obtain meaningful information from the respondents.

The people who agreed to be interviewed came from the following organisations: SABC news team, ETV news team, ICASA and the Media Diversity and Development Project. These represented all of the direct stakeholders in the South African broadcasting policy, with the exception of the Minister of Communications.

Communication and media researchers were also included in the study, as part of the indirect stakeholders, as they have tremendous amounts of specialised knowledge from which to draw and they tend to be up-to-date in terms of policy developments. The researcher emailed some of the researchers who had featured frequently in the literature review, to request their participation. The researchers who were approached agreed to participate, and made themselves promptly available.

Three members of the public were also interviewed, as Hanberger's model specifies that even though the public may not be directly involved in a policy, or may not be acutely aware of how the policy affects them, their perceptions are still valid in any policy analysis, as they are inadvertently affected (Hanberger, 2001:52). The perception, that the public voice matters in research, was strongly endorsed in the literature review by other researchers, which affirmed the researcher's decision to include public participants in the study. An advertisement on a public Facebook group was placed to secure members of the public to participate.

At the onset of the interviews, the researcher needed to explain what the policy is and does so that the members of the public could answer the questions, as none of them were able to answer the questions without this explanation. All of the interviews took place in English. In this way, the researcher gathered information to complete the section about the results and consequences of the policy, and information regarding whether people feel that the policy is achieving what it should.

#### **4.4.1 Ethical process for the interviews**



With the exception of the public, most participants were contacted by email, but in some cases, telephonic follow ups were required to reach the appropriate people, specifically in the stakeholder organisations.

People who were approached were provided with a letter from the researcher, detailing information regarding the extent of this study and what their involvement would include. All participants were offered anonymity in the study, and the possibility to withdraw at any stage. They were also informed that there was no remuneration or benefit to participation, and equally no obligation to participate. All participants were asked to sign an indemnity form, which is appended as an addendum.

While all participants were given the option, none of the participants asked to remain anonymous, and all gave the researcher permission to use their feedback and names.

#### **4.4.2 Content analysis of the interviews**

The interviews took place either telephonically or in person, depending on what the participant requested. The intention was to make the interview as convenient for the participants as possible. The researcher recorded the interviews, so that they could be played back for later scrutiny. The researcher did not make notes during the interviews to ensure that attention could be paid to the details and nuances of what was being said, and have a quality conversation. After each interview, the researcher replayed the recordings, stopping to make notes of all of the answers. These answers were compiled in a spreadsheet with the columns being the questions, and each participant allocated a row. In this way, after completing the interviews, the researcher was able to detect common sentiments, ideas and concerns. The frequency of responses was not significant; rather, patterns of similar thoughts were highlighted.

All respondents were asked the same questions, but were invited to add information or additional comments to add value to the study. This was useful as most of the interviews became conversational towards the end, with the participants adding insightful ideas and interesting perceptions.

The processes described above enabled the researcher to use various methods to obtain rich information from a wide variety of sources, to contribute to this policy study. The various stages of the process as outlined above were used to guide the presentation of information in the findings, according to the sections in Hanberger's model. The answers to the research sub-questions are explained in Chapter 5.

The final chapter of this study, which is the conclusion, attempts to answer the formal research question: How effective is the South African broadcasting news policy? The conclusion, which serves as both a summary and a culmination of all of the research done in this study, also includes shortfalls in the research, and recommendations for future research related to this topic, which emerged during the course of the study.





## CHAPTER 5: FINDINGS

### 5. Introduction

The findings in this chapter are the culmination of insights gathered from the three methods applied to field research. These methods were (a) the document analysis of policy documents such as legislation, ICASA's annual report and other similar official documentation; (b) the content analysis of television news broadcasts on two free-to-air television channels; and (c) the interviews conducted with various direct and indirect stakeholders by the researcher.

As was indicated above, Hanberger's (2001) model was used as the framework for data collection, as it offered a guideline to identify which information would be relevant to the study, and therefore an indication of where to locate such information. Additionally, this model provided a useful structure within which to conduct interviews. The findings below are presented according to the three data collection methods described above, with the information grouped according to the themes that emerged.

The three research sub-questions and the formal research question are answered in the following chapter (Chapter 6), which concludes this study.

### 5.1 Document analysis

#### 5.1.1 The ineffective implementing organisation – ICASA

In the literature review, several researchers were cited (Delaney, 2009; De Vos, 2018; De Waal, 2011; Govender, 2009) expressing their concerns about the ineffectiveness of ICASA. The researcher accessed this organisation's documents to examine these notions of inadequacy of ICASA, which acts as the custodian of the policy. The answers lay in the organisation's annual report of 2017/2018, where the researcher found a number of key points that are noteworthy. While the report is not reviewed in detail for the purpose of this study, a few salient issues are described.

The organisation exceeded its budgeted expenditure by over-spending R 34 million in the 2018 fiscal year (ICASA, 2018:23). On the same page of the report, it is detailed that R 27 million was paid out in bonuses, and R 9 million spent on labour disputes with staff. With an annual appropriation of no less than R 430 million, the cost to taxpayers is significant (ICASA, 2018:82). It is also detailed that R 7 million of fruitless and wasteful expenditure, as well R 66 million of irregular expenditure which did not follow due procurement process, took place during this period (ICASA, 2018:76). This points to the financial management and governance within the organisation being problematic.

The annual report specifies that the organisation was over-staffed with 361 employees, of whom only 314 fell in line with the approved organisational structure, with an additional 21 vacancies lying open at the time of the annual report's publication (ICASA, 2018:52). The inconsistency of these numbers measured against the approved structure for the organisation is concerning, in that the organisation foresaw the need for an additional 21% of staff to fulfil its role. This additional staff complement comes at great expense to the taxpayer, suggesting that the staffing body lacks the necessary competencies.

A review of South Africa's broadcasting policy is listed as a priority for ICASA in its annual performance plan for 2019; however, no further detail is disclosed in the annual report. This document specifies an intention to play a role in closing the digital divide in the country in terms of increasing access and affordability (ICASA, 2018:23), but no additional details are provided about the plans or intentions in this regard.

Various performance indicators are listed in the annual report and each one is reported on numerically, with the actual performance against the target set for that indicator. The target for 2019 was that 50 broadcasting licences would be monitored. It was reported that 71 were monitored, which is described as an over-achievement in terms of this goal (ICASA, 2018:38). However, it is surprising that this is reported on so briefly, without any quality-orientated descriptor of the effectiveness of the current licences in contributing to the objectives that are attributed to the broadcasting sector. At face value, it comes across as a checklist-based system with little attention paid to the detail or the effectiveness of the policy. It seems a serious omission to leave out the question of whether the licences that are in place are achieving their goals?

In the chairperson's report, it is stated that the organisation is working towards increasing internet access in under-served poor rural communities, that it intends to respond to applications for additional free-to-air television broadcasting services with licensing processes, and that there is an intention to operate in line with international best practices (ICASA, 2018:9), which are not detailed.

Although researchers such as Govenden (2009:17) refer to previous criticism of ICASA for overlooking the quality aspect of news, the 2017/2018 annual report confirms that the organisation continues to ignore news quality. There is still no intention to review or assist broadcasters in achieving an improved standard of news.

### **5.1.2 An organisation with a bureaucratic, top-heavy structure**

ICASA's organisational composition may appear simple, but further inspection points to a top-heavy bureaucratic structure (ICASA, 2018:20). This structure leads to slow decision-making, a high salary bill and an organisation that is slow to react to changes in the environment. This finding confirms the findings of Govenden's (2009:16) study that the organisation is under-skilled, with staff who are insufficiently qualified to fulfil their roles effectively.

In terms of the competencies within the organisation, the listed qualifications and industry expertise of the ICASA Council appear impressive with a postgraduate qualification behind each councillor's name (ICASA, 2018:51). However, it is conspicuous that this type of detail in relation to the operational staff of the organisation, is omitted.

### **5.1.3 A policy managed in a superficial way**

In order to delve deeper into the implementation of the broadcast news policy, the researcher accessed various compliance reports. As explained in the literature review, television stations are required to submit compliance reports annually, which detail their compliance with their licence conditions, one of which is the broadcasting of news.

The latest compliance report available for ETV was dated 2018, while the latest report available for SABC3 was dated 2008. When the researcher queried this with ICASA, the response received from Busisiwe Mashigo in the broadcasting compliance division was that "ICASA has not approved a report for SABC television services in a number of years for various reasons" (Mashigo, 2019). This is a cause for concern, as the researcher could find no record of the compliance of SABC3 or of SABC3 news being monitored since 2008.

After ICASA receives a compliance report from a channel, it uses that as a basis for its own report, in which feedback is provided by ICASA on all elements in the report. This feedback could be a comment that highlights underperformance, or mentions a missing element, for example.

In reviewing the latest compliance reports (ETV, 2018; ICASA, 2008) that could be accessed for the channels in this study, the researcher found that both SABC3 and ETV met their performance requirements in terms of the hours of news broadcast per day and week. Both channels are required to deliver seven hours of news per week during the daily performance period (5 am to 11 pm), of which three and a half hours (half an hour per day) must be in prime time (6 pm to 10 pm).

Although it is more than ten years outdated, the SABC compliance report (ICASA, 2008) does bring a challenge to the fore. The report notes that the SABC did not submit all of the recordings that are required to accompany the report. These recordings provide the basis to audit whether what is contained in the written report is accurate. The report details how ICASA responded by requesting these recordings, which were ultimately never received.

Both of the channels delivered their news bulletins as per their licence conditions, based on limited information provided. However, there is no information regarding how effective or thorough their news is, nor is it possible to determine from the reports whether the news produced is serving the needs of the readership, or furthering participation in democracy in general.

Furthermore, because there is no minimum specification set for the number of staff in news teams, for their education, training or any other staff requirements for news departments, the issue of staffing goes unreported. This important consideration of ensuring a diversity of viewpoints in every bulletin, and the need to cover stories that are relatable to all levels of the population, for example rural audiences, is also not specified or reported on.

#### **5.1.4 No clear definition of news**

“News” is a term which is assumed to be understood in the ICASA documentation. However, the constitutional imperatives of providing a diversity of viewpoints, ensuring fairness, and representing South African society are surprisingly nowhere to be found among the requirements for reporting the news within the broadcasting policy system. This confirms Govenden’s (2009:17) viewpoint as detailed in the literature review, highlighting ICASA’s failure to focus on the quality aspects of news, which has poor consequences for television news outputs.

As the literature review explained, (Fourie, 2018:55) broadcasting news is not governed by one central policy document. It falls under the broadcasting policy in the country, which rests between four elements of legislation and a licensing system. All of the documentation, however, lacks clarity concerning the broadcasting of news specifically. News is treated as an element of content that broadcasters are required to deliver in order to retain their licences. The fulfilment of the constitutional imperatives is implied, rather than specified. This is ironic, since the provision of news is regarded as fundamental in the realisation of the rights guaranteed by the Constitution, including the right to participate in social and political processes in an informed way (Fourie, 2018:60; Reid, 2017b). The document analysis confirms this conclusion, as the researcher was unable to locate any conclusive legally binding definition of news in any of the documentation that was studied.

#### **5.1.5 Inconsistencies between various codes of conduct**

Following concerns that were raised during the interviews with Fourie, Greyling and Milton, the researcher studied the various codes of conduct that are in operation in television newsrooms at present. While the feedback during the interviews is expanded on in a later section in this chapter, the following paragraphs summarise the findings during analysis of the codes of conduct of the SABC, ETV and the BCCSA.

The editorial policies that the two free-to-air broadcasters have adopted to guide their news are distinctly different in their approaches.

ETV’s code of conduct, which was formally issued by the organisation in 2006, has three main sections: the channel’s news philosophy, its vision, and an ethical code for editorial staff (ETV, 2006). The first part

describes the organisation's commitment to uphold the preamble of the Constitution and play a role in the formation of a healthy democracy in the country. This commitment is envisaged by "news that holds people and organisations accountable, records the nation's trials and tribulations, and links the country to the rest of the world" (ETV, 2006).

This channel describes its vision to be the "leading source of credible news and current affairs programming in South Africa and the rest of the continent. Viewers prefer e-News because we tell stories well and help the viewers to understand their world better" (ETV, 2006). ETV's news values are listed as accuracy, fairness, independence, integrity, excellence and timeliness. The channel's goals are to be "cheeky, ask probing questions, differentiate between fact and comment, to provide fresh, uncluttered writing, with no clichés, use actuality visuals well and to tell stories that are uniquely e-News stories" (ETV, 2006). The last line of this description is problematic as it is not clear whether it means to cover news that no other news channels are covering, or whether the channel sees itself as exclusively serving a particular audience segment.

ETV's editorial code elaborates with further details and standards of journalistic practices to which news staff must adhere. There are also remedies suggested for certain circumstances where journalists may be in doubt of which terminology to use.

The ethical values and standards that need to be upheld within the function of ETV news are listed as "accuracy, impartiality, the use of sources, the treatment of embargoes, and the discretions which should be exercised when reporting on sensitive matters such as suicides, violence, child abuse, human suffering as well as when describing people in terms of race, sexual orientation or disability" (ETV, 2006). The common thread in this editorial code is sensitivity to how the audience will perceive the news and an intention to convey the news in a way that is both inoffensive, and relatable to people (ETV, 2006). ETV's editorial code can be described as audience-orientated, as it places focus on presenting the news in a way that the audience will understand, demystifying complex subjects and helping the audience make sense of issues (ETV, 2006).

SABC3's news falls under the SABC news policy as the organisation has a central news unit that produces news for broadcast across the various channels. This policy specifies that it applies to all the news, current affairs and information programming broadcast by the SABC, including news bulletins and current affairs programmes provided for radio, television and SABC Africa (SABC, n.d.). SABC news specifies its news values as objectivity, accuracy, fairness, impartiality and balance (SABC, n.d.). Whereas ETV refers to integrity and excellence, the SABC news policy refers to objectivity. A significant difference between the two is the SABC's focus on presenting various viewpoints, one of which is the South African viewpoint, while the ETV policy refers to accuracy and helping viewers understand the "main story" within the story (ETV, 2006).

The SABC news policy provides guidelines for language and tone, interviews, economic and business news, investigative journalism, guests and commentators, paying for information, public opinion surveys, the protection of sources, gender representation, privacy, and reporting on human suffering (SABC, n.d.).

There is a noticeable focus on nation-building in the SABC news policy, which is mentioned several times, and playing a role in telling the South African story. The policy states that news should be a “catalyst for positive and progressive development and change” (SABC, n.d.). Another noticeable difference in the SABC news policy is the repeated reference to journalists’ personal views, how to handle these, and the requirement to do background checks on potential new staff regarding their opinions and associations in order to prevent these from being reflected in their reporting.

The SABC news policy contains a few hidden disclaimers, such as the presenting of relevant and balanced views on matters of importance, but noting that these may not always be done in one single programme, but may take place over a period of time. Another example is that while fairness is described as important, staff do not have to be unquestioning, nor does the broadcaster have to present every opinion relating to an issue. While the ETV policy forbids news staff from accepting gifts, SABC news staff may accept gifts provided they disclose them.

While it specifies that news should have editorial independence, the SABC news policy states that its news teams will develop their own guidelines for how to deal with potential conflicts in the newsroom. This is in stark contrast to the ETV policy which provides guidelines within its news policy. Another noticeable difference is several references to upward referral meaning that staff need approval from managers on certain editorial matters, in the SABC policy, which is in contrast to the ETV policy. Upward referral is perhaps questionable as it implies an approval, that could be described as censorship, and while this will not be elaborated on in detail, it does pose a problematic issue.

#### **5.1.6 The deciding code of conduct – BCCSA**

While the BCCSA is the organisation which decides whether a broadcaster acts appropriately or inappropriately, the BCCSA code of conduct provides the guidelines and boundaries according to which news would be assessed should a complaint be received (Fourie, 2018:99). If a member of the public feels offended, shocked or upset by television content, then the BCCSA is the organisation to which such a complaint should be directed (Sichetsa, 2019). Any complainant would need to prove that a broadcaster had contravened the BCCSA code of conduct by explaining which section/s of the code had been contravened (NAB, 2019).

When reviewing the BCCSA code of conduct that relates to news, two things stand out. First, the BCCSA code of conduct (BCCSA, 2009) is vastly different to the broadcaster codes of conduct, which is problematic as it addresses entirely different points of consideration. Second, the BCCSA code of conduct (BCCSA, 2009) is indeterminate, inexplicit in many clauses, imprecise, and alarmingly short. The section regarding news is

barely a page long and full of ambiguous terms such as “correct” in the phrase “news must be reported in the correct context”. Perhaps the descriptor of “well researched”, or “thoroughly and carefully investigated” would be more effective to convey the importance of the thoroughness and caution required when compiling news.

The BCCSA code (BCCSA, 2009) does not address the considerations of producing news that serves all people in society, making stories accessible to people of different socio-economic groups, nor does it insist that news events must be conscientiously conveyed. Additionally, the code does not provide for a diversity of viewpoints, or any requirement of thorough research into news stories.

The literature review identified weaknesses in these ethical codes, indicating how easily they can be overturned. Perhaps the lack of detail found in the codes is contributing to the formulaic, repetitive, thin description of television news that emerged in the interviews.

## **5.2 Content analysis**

### **5.2.1 Lack of diversity of viewpoints**

The fact that it is 25 years into South Africa’s democracy and yet only two free-to-air channels provide news in English is problematic. This situation points to a lack of diversity regarding the television news that is available to a significant number of people who depend on this information for decision-making in many aspects of their lives. A simple solution was offered to this in the interviews, which will be presented later in this chapter.

This section of content analysis continues with a summary of noteworthy points that emerged during the analysis of prime-time news bulletins over the period of a week in order to scrutinise their content, style and structure.

### **5.2.2 The different perspectives taken by ETV and SABC3**

During the one- week content analysis, the researcher studied the content, themes and social values reflected in the English prime-time news bulletins on SABC3 and ETV. During this analysis, it emerged that while both channels report almost exclusively on local news, they take distinctly different approaches.

SABC3’s news bulletins focus largely on government, on political issues, and on how people are affected by the news. SABC3’s news features prominent figures such as the president, Archbishop Tutu, government ministers, and regular features on education. The SABC bulletins contained more hard news stories and offered more diverse opinions when spokespersons were given the chance to comment. Every time one political spokesperson provided commentary on a story, there were three spokespersons from different political parties.



ETV's focus tends to be driven towards human interest and the prominence of people connected to the story. The ETV news bulletin always ends with a soft, light-hearted story, such as one about a dog that has learnt how to open doors for blind people, or a piece of rare memorabilia that fetched million on an auction. ETV demonstrates a streamlined, commercially driven approach, with fewer news stories briefly reported on. This confirms a theory proposed by Cushion (2012), who undertook a similar study, and found that public broadcasters focus on hard news while their privately owned counterparts feature more human-interest soft stories (Cushion, 2012:76).

The present content analysis found that SABC3 news is more orientated towards promoting nation-building and development in the country and that this broadcaster places more emphasis on unpacking and explaining issues affecting people at all levels of society. ETV's focus is slanted towards the upper end of the market with a more entertaining and conversational approach. ETV news presenters often close off a news story with a strongly opinionated one-liner before moving to the next story. This is not found in the more serious SABC bulletins which focus on the facts and providing diverse opinions.

Because the two broadcasters cover different kinds of stories, this phenomenon has implications for the 25 million strong public who rely solely on television news. If they see a story reported in television news, there is a good chance that they will only see it reported on one of the two channels. Therefore, seeing it only on one channel means that they only get to see it presented in one way. If the same kinds of stories were covered by both channels, but in different ways, it could be said that the public received more diversity in the viewpoints presented regarding that particular story, and therefore more viewpoints from which they could reach their own conclusions. If a person is only told a story from one perspective, he or she is clearly not informed on the various angles and aspects to that story.

### **5.2.3 The bare minimum delivery of news**

Because both stations are required by the policy to broadcast a half-hour news bulletin in prime time, they do so. However, an analysis of the half-hour broadcast revealed that the actual time dedicated to news and current affairs is only between 13 to 15 minutes, after deducting the time spent on sport, weather, and business news. This was the case for both channels in the week that the content was analysed and underlines the need for of a legally entrenched definition of news.

While 24 minutes of content per half hour is standard, with six minutes allocated to advertising breaks, the small portion of that which is used for hard news is problematic. This technically means that the broadcasters are broadcasting less than half of the news required. Less time means fewer new stories, less information and less detail provided to the public. While it could be argued that sport and weather do constitute a form of news,

this raises the question of whether more specific requirements regarding time allocation in the bulletins are required.

The result is that the public is delivered with what could be described as “the bare minimum” of news, with less than half the mandated time actually being used to broadcast news. This further confirmed studies quoted in the literature review (Delaney, 2009; Govenden 2009) that found that ICASA has ignored significant aspects of detail for a long time.

### 5.3 Interviews

The results of the interviews that were conducted are grouped according to the themes that emerged, and salient points that stood out to the researcher. To reiterate, interviews were done with both direct and indirect stakeholders, as well as academic thought leaders who have researched this topic extensively (Fourie, 2019, Milton, 2019, Reid, 2019).

Table A presents an overview of the direct and indirect stakeholders found in this study.

Table A.

<b>Direct stakeholders</b>		
<b>Free-to-air (national) broadcasters</b>	<b>Regulatory body</b>	<b>Interest groups</b>
ETV	ICASA (Independent Communications Authority of South Africa)	MDDP (Media Diversity and Development Project)
SABC		NAB (National Association of Broadcasters)
		SOS Coalition (Support Public Broadcasting Coalition)
<b>Indirect stakeholders</b>		
Members of the public		

To reiterate, direct stakeholders are stakeholders who are directly affected by the broadcasting news policy, and who try to influence the policy in some way (Hanberger, 2001:45). Indirect stakeholders are those who are affected by the policy but do not play an active role in trying to influence or shape the policy (Hanberger, 2001:45). People from both of these stakeholder groups were included in the interviews.

### **5.3.1 Television news lacks depth**

The sentiment that television news across the free-to-air channels in South Africa lacks depth was expressed by every single participant in the study. All of the participants thought that there is a shortage of in-depth reporting, the same kinds of stories that feature regularly, the same themes being covered repetitively and a general lack of attention to detail in television news. Words such as “superficial” (Weber, 2019), “thin and brief” (Kekana, 2019) and “one dimensional” (Mbuli, 2019) were used to describe the current free-to-air television news in the country. This confirms Wasserman & Garman’s (2014: 405) study that found that some people have become disinterested in the news that is currently available.

Almost all of the participants expressed the view that South African broadcast news has become formulaic, with the same kind of stories being covered all the time (Greyling, 2019, Mbuli, 2019, Kekana 2019, Weber, 2019). The sentiment conveyed was that television news bulletins report disproportionately on the antics of politicians, and cover political events extensively, while other developments such as events in rural areas in the country are ignored. Mbuli (2019), who described herself as an avid news watcher, stated that the same small group of people dominate the news, yet when one turns to the news in print or online, one sees that there are many other people and events worth covering.

An over-reliance on the same sources was cited by participants as a reason for television news being so formulaic (Greyling, 2019). Fourie (2019) expanded on this observation, noting that one not only sees the same kinds of news stories all the time, one also sees the same people repeatedly commenting on the news bulletins.

Because the news policy requires provision of balanced news, television news bulletins feature various people who give opinions on news events. However, these are typically people in senior positions such as mayors, police, politicians, or union leaders, while the viewpoints of the general public are seldom shown (Kekana, 2019, Mbuli, 2019). An example cited by Kekana was the recent South African job summit where only corporate executives and event organisers were seen to comment on television news, while unemployed people whom the summit is designed to serve, did not feature. Reid (2019) cited a similar example with the high amount of coverage given to community protests, where the people who get interviewed are politicians, yet seldom the people affected by the issue. This echoed the opinion offered by Greyling (2019) that television news is not audience-orientated and has become repetitive, without concern being shown for what the viewer at home may want to see. He also expressed concern that television news lacks the quality needed to help people understand issues, and how what they see on the news may affect their lives.

Confirming a sentiment that came up in the literature review (Wasserman, 2017), Weber (2019) thought that television news no longer appeals to the youth. Kekana (2019) agreed, explaining that because the news is too political, it is not appealing to young people, as most of the people featured in the news are “old”. Another disparity that emerged was that television news is urban-orientated, with one seldom seeing news emanating from rural areas (Greyling, 2019, Kekana, 2019).

Linking the unintended consequences back to the policy itself, both Greyling (2019) and Reid (2019) expressed the concern that broadcasters are merely filling the hours of news that they need to, to satisfy their licence conditions, with the minimum effort possible. Weber (2019) expressed the opinion that there is not enough in-depth news, or discussion programmes which could help people better understand issues being covered in the news. Kekana (2019) said that she had seen examples of how news can be made exciting by taking fresh approaches on pay-to-air channels, such as Newzroom Africa, but never on the free-to-air broadcasters, where thoroughness and new approaches were lacking. The issue of the lack of quality news that reaches the core of the issue was a concern that came out in almost all of the interviews.

All of the participants agreed that there is simply not enough television news available on the free-to-air channels, with only two broadcasts of half-hour bulletins available in prime time. Milton (2019) suggested that a way to address this could be to make the 24-hour news channels, namely SABC News and ENCA, freely available. These channels, which provide news bulletins and in-depth news reporting are currently only available on the DSTV pay-to-air channel.

### **5.3.2 Television newsrooms lack resources**

The three television news journalists who were interviewed (Appel, 2019; Greyling, 2019; Spies, 2019) all explained that television newsrooms are thinly resourced with very few news journalists hired to research and compile the news. This is aggravated by the fact that while newsrooms are under-staffed, television news journalists are often contractors hired for very short shifts, giving them little time to put the bulletins together (Greyling, 2019). Greyling explained that a major news event can be taking place, which appears complex and multi-layered, but the news reporters simply do not have the time available to get to understand the crux of the issue, and therefore report on it very briefly, without any capacity to explain the detail.

Reid (2019) pointed out that the pressure placed on the small number of television journalists being required to do excessive work causes these journalists to work under tremendous strain, and ultimately leads to burnout.

While Mbuli (2019) was interviewed as a member of the public, she occasionally works in television production and therefore was able to share some interesting insights into the shortage of resources in television newsrooms that was expressed in several of the interviews (Appel, 2009, Greyling 2009, Spies, 2009). Her

explanation was that television stations invest the minimum time and resources possible to meet the allocated amount of news that their licences require, because they are dependent on advertising (Mbuli, 2019). Because news is not a significant income generator, channels do not see the need to invest in improving the news (Mbuli, 2019). Entertainment programming, such as drama or soap operas, is more profitable (Greyling, 2019; Reid, 2019), and this is therefore where television channels allocate the bulk of their resources.

Greyling (2019) provided another possible explanation. This news journalist believes that because television stations are compelled by their licences to broadcast the news, it is seen as an unfortunate necessity. Television stations therefore invest as little time and resources into this area of the business as possible, because they think it does not attract new viewers; however, without news, they would lose their broadcast licences (Greyling, 2019).

Media researcher Reid (2019) suggested that the entire television news production model needs to be revisited, rethought and rebuilt. Additionally, Reid (2019) posed the question of whether the sharing of resources between print newsrooms and television newsrooms was worth considering in future. This is because the majority of investigative news stories are produced by print journalists working for publications such as *Mail & Guardian* or *Daily Maverick*, yet these stories do not make it onto television news. Sharing resources in this way could present a solution to the disparity in investigative news resources between print and television newsrooms, which, is prevented by legislation that restricts cross-ownership (Reid, 2019).

### **5.3.3 Television news journalists lack understanding of the policy**

The broadcast news journalists who were interviewed confessed having very little knowledge about how the broadcasting news policy works, and agreed that there is therefore a pressing need to address this lack of knowledge. Appel (2019) and Spies (2019) both conceded that they know almost nothing around the legislation or policy concerning television news. These two journalists also thought that the policy and legislation around broadcasting should be taught as part of journalism courses at university level (Appel, 2019; Spies, 2019). This lack of understanding could be ascribed to the fact that the licensing and compliance system makes no provision for requirements to train journalists (Govenden, 2009:14).

If the performance of journalists is evaluated against the BCCSA code of conduct when complaints are received, this code should also be taught in detail, according to Appel (2019) and Spies (2019). Fourie (2019) agreed that education on legislation and policy is a concern and presents an opportunity for improvement in South Africa. Fourie stated that an understanding of media policy is essential for all media practitioners in the country (Fourie, 2019).

The policy relating to broadcasting should be simple and clear enough for all to understand it, and at the same time, regularly updated, with refresher training provided to news teams (Spies, 2019). This journalist also

made a suggestion that training regarding this aspect of news be included in a new staff member's induction training, and that a copy of policy or guidelines based on the policy should be posted on the walls in television newsrooms (Spies, 2019).

Given that television newsrooms are the engine room of television news, it makes sense that the journalists who work there should be educated regarding how the policy works.

### **5.3.4 One solid, updated policy is needed**

Ndlovu (2015) was referenced in the literature review (see 2.2 and 2.3), arguing that in the media landscape, legislation and policy are often outpaced by social and technological transformation. Interview participants such as Fourie (2019), Greyling (2019), Reid (2019) and Mbuli (2019) corroborated this view in various ways, all agreeing that the policy had a well-intended start at the inception of democracy as it provided a solid framework to enable the broadcasting sector to contribute to democracy. However, over the years, the policy has not been updated, or worked on and has become outdated in the current South African environment (Fourie, 2019; Greyling, 2019; Reid, 2019; Mbuli, 2019; Milton, 2019).

Milton (2019) explained that the current policy is replete with conflicts. An example cited by Milton is the fact that while both the SABC and ICASA are supposed to be independent, the board members of both organisations are appointed by government (Milton, 2019). Again, while ICASA is supposed to be a Chapter Nine organisation, it falls under the Department of Communications, and is highly influenced by the Minister of Communications. While on paper, the broadcasting policy has good aspects, there are issues with implementation (Milton, 2019). This participant also mentioned the Hlaudi Motsoeneng debacle as an example that illustrates how fragile broadcasting policy in South Africa is, and how easy it is to overturn this policy (Milton, 2019).

Participant Greyling (2019) pointed out that while the South African media environment now offers a multiplicity of new platforms from which people can consume news, the policy requirements for broadcasters are still the same as they were 20 years ago, and do not make provision for the integration with these platforms, or for new platforms that television stations could use to convey the news. Greyling (2019) mentioned that the online news websites that are serviced by broadcast news journalists, such as the SABC news website, are not subject to the same regulations or requirements as the broadcast news they produce. This presents an incongruity, which is problematic.

As Fourie (2007:19) suggests in the literature review, part of the vagueness surrounding broadcasting news could be attributed to the fact that it is not driven by its own specific policy. Broadcasting news is a subsection of broadcasting policy which is governed by constitutional imperatives, legislated by the Electronic Communications Act 36 of 2005, the Broadcasting Act 4 of 1999 and managed on a daily basis by ICASA

through a licensing system. This structure, which participants described as insufficient, is problematic in itself (Fourie, 2019, Reid, 2019).

During her interview, Reid (2019) explained that it is problematic that different institutions manage different aspects of media policy in South Africa. These institutions, of which ICASA is one, are poorly funded and badly managed, in Reid's opinion. This participant pointed out the issue that some media polices are detailed, while others, of which broadcasting is one, are vague (Reid, 2019). As a result of this, Reid stated that broadcasters escape punishment for ethical lapses for which print media houses would be severely penalised. Elaborating on this point, she cited a recent example of a television channel that revealed the identity of vulnerable people, and where the BCCSA code provided no recourse, because this aspect of privacy was not specified in its ethical code.

The issue with the broadcasting policy is that it uses a "one-size-fits-all" approach instead of providing nuance and a layered system that could regulate broadcasting more effectively (Greyling, 2019). Audiences who watch the news on television are very diverse, and different broadcasters serve different audiences, yet the news bulletins are very formulaic, and despite language differences, all look and sound the same (Mbuli, 2019). There are many other ways to present news that people can relate to, such as the investigative journalism-driven shows or interview-style talk shows available on CNN and BBC, but there are none like that available on local channels (Weber, 2019).

During his interview, Fourie (2019) suggested that one needs to look beyond broadcasting codes of ethics, or codes of conduct per platform. Rather, he proposed that a communications code of ethics be created for all media and communication practitioners in the country, which legally would translate into one communications policy. This would not only circumvent the policy becoming outdated by technological development in new forms of media continually emerging, but could also become a standard guideline for all practitioners across the country, eliminating the current disparities that exist (Fourie, 2019).

### **5.3.5 Television news is still vital in South Africa's democracy**

Various sources were cited in the literature review, detailing how many South African people are dependent on television as their only source of news. The interviewees confirmed this finding, with several participants expressing concern at the tremendous digital divide in the country, which makes people more dependent on television news than ever before (Kekana, 2019; Mbuli, 2019; Reid, 2019; Weber, 2019). Reid (2019) explained that with the rising cost of living, and media becoming more expensive to access, the majority of South Africans cannot afford to access the media that they need to participate fully in democratic life. These people are therefore limited in their choices, and information, making television news is absolutely critical (Reid, 2019).



It was explained in the literature review that ICASA has been criticised for its failure to make data affordable for South Africans, contributing to the digital divide (Reid, 2017b), given that South Africans pay among the highest prices in the world for data (Reid, 2017b). Addressing the urgency of increasing internet access is acknowledged as a priority which ICASA needs to address (ICASA, 2018:9). Until this is done, this barrier to entry has led to a continued dependence on national free-to-air television as a means to access news.

The fact that two 24-hour news channels exist, run by the free-to-air broadcasters but withheld from the free-to-air platforms, represents a shortfall in the broadcasting news policy (Milton, 2019). Both ETV and the SABC started their own 24-hour news channels, provided exclusively to the DSTV subscription service (Milton, 2019). Nothing is in place to prevent this phenomenon, since creating new channels purely for profit through private agreements is not addressed in any of the current legislation or policy. Legislation forces DSTV to carry the free-to-air channels on its bouquet, but there is no reciprocal legislation covering the opposite of this situation, requiring free-to-air broadcasters to broadcast everything they provide to networks publicly (Greyling, 2019). While new business models created to maximise revenue may be inevitable, it does seem incongruent that 24-hour news channels are being withheld from the greater majority of the public. An amendment in broadcasting policy could provide a remedy to this situation, and enable a significant number of people to access a greater depth and variety of news (Milton, 2019).

### **5.3.6 ICASA has lost sight of its purpose**

A representative from ICASA, Susan Dlamini, who is currently in a senior position in this organisation's licensing services division, confirmed the suggestion raised by other participants that ICASA appears to have lost sight of its purpose. When asked about the reason for a broadcasting policy being needed, she did not mention any objective of entrenching democracy, enabling an independent media sector to help inform the public, encouraging informed participation in civic life or anything of that sort. Dlamini (2019)'s answer was that a broadcasting news policy was needed to ensure that television stations are compliant with the policy. She elaborated stating that without a policy, it would be a "free for all" for television stations that required guidelines to protect against phenomena such as fake news or propaganda.

Greyling (2019) expressed tremendous concern regarding the level of expertise housed in ICASA, insisting that the people responsible for regulating the industry should technically know more than those working in the industry. This participant cited England as an example of a country where the broadcasting regulator works with channels to find ways to improve their offering to the public and shows a focus on innovation (Greyling, 2019). Fourie (2019) held a similar view that more expertise is needed in regulatory organisations so that this expertise can be used to develop and improve the industry. Reid (2019) thought that in general, the policy "falls flat" at implementation level and that a lack of competencies is a contributing factor. One of the biggest gaps that needs to be addressed is that ICASA does not invest time or resources into understanding the South African television audience, in order to find ways for broadcasters to serve them better (Greyling, 2019).



These statements confirmed what was revealed in the document analysis, that the policy has essentially become managed with a checklist system, without any attention being paid to detail or to the higher purpose of the policy which is to entrench democracy, and help people participate in democratic life, by regulating the media in a way that will facilitate this. Milton (2019) expressed concern that the review of broadcasting in South Africa is almost ten years overdue, with this being one of the reasons why review is now essential.

The fact that ICASA continues to refer to having broader access to data, and to closing the digital divide (as noted in the document analysis), suggests that this organisation is placing its focus in the wrong place when it comes to the needs that broadcasting news fulfils. While broader internet access is certainly needed in the country, this in itself will not solve the challenges related to television news. ICASA's failure to address the quality and diversity of news that is available was widely evident in the document analysis, and in the interviews, which is cause for concern. It is clear that this organisation urgently needs to address these issues.

## CHAPTER 6: CONCLUSION

### 6. Introduction

This study analysed the policy governing broadcasting news in contemporary South Africa. At the onset, it was clear that this would involve a multi-faceted, thorough enquiry in the context of a complex society. The researcher worked from the first departure point that an informed population is able to make informed choices, in order to participate fully in democratic life. The second premise was that policy has the ability to impact the way that television news performs its role in the country.

By using Hanberger's (2001) model as a framework for this policy study, the researcher conducted a thorough study to understand and describe the socio-historic context of the policy, the stakeholders involved, the policy framework, the implementing organisation, the implementation process, the values and order promoted by the policy, the results and consequences of the policy, and gaps in the policy that need to be addressed. The study incorporated normative theory which was used as a basis to explain how expectations are formed in society, and how people in the country have certain expectations of the relationship between the media and democracy.

During the research process, it became evident that there are several issues in the South African context that cannot necessarily be addressed by the electronic news policy alone, such as illiteracy and unequal access to media. However, these factors elevate the importance of and dependency on free-to-air television news in the country significantly. This study showed that public broadcasting and its free-to-air private counterparts have a role to play, which is as relevant now as it was at the onset of democracy, if not more so. This study highlighted the need for the policy to be effective and robust.

A key finding was that the current framework for the electronic news policy is outdated and clumsy. The South African socio-economic context has changed, and evolved, whereas the policy has not evolved with it. At the same time, the study confirmed that the policy has the ability to ensure that broadcasting news fulfils its role in the South African democracy. All of the participants who were interviewed believe in the power of policy to effect positive societal change.

#### 6.1 Complexities that were revealed in the study

The participants' normative expectations of the policy which were questioned during the interviews showed the notable shifts that have taken place in South African society in the past 25 years since the initial policy framework was put in place to facilitate media in the new democracy. The broadcasting policy was well intended and a hopeful start which was relevant at the onset of democracy. However, technological, societal and economic developments have rendered the policy inadequate.

It is a significant challenge that different parts of the policy are governed by different legislative elements. Additionally, different areas of performance are managed by different organisations. This clumsy structure has led to challenging circumstances and occurrences that seem incongruous. A recent example of this is the SABC creating a 24-hour news channel, which is only accessible to more affluent DSTV subscribers, while it serves its 25-million strong free-to-air audience with rudimentary, poorly researched, superficial shortened news bulletins. At the same time, the mass audience who cannot afford the DSTV service are denied the 24-hour channel. The same phenomenon is in effect at ETV, who equally provide such as channel, named ENCA, while poorly serving their free audiences on ETV. The business model of a paid for channel would suggest that more resources can be allocated to these paid for channels. However, the concept of news being denied to people seems contrary to the constitutional imperatives.

ICASA, which is the key implementing organisation, commands neither expertise nor efficiency. Instead of leading the charge to enable broadcasters to serve audiences, and ultimately democracy, more effectively, the organisation has become cumbersome, process-driven and inept. This organisation, which plays a central role in the implementation of this policy, shows little intention of placing a focus on the improvement of television news quality or on increasing its expertise regarding television news audiences. ICASA has lost sight of its focus as an organisation which should contribute to a healthy broadcasting sector. This organisation performs in a bureaucratic, superficial manner, misdirecting its focus to increasing internet access to solve the country's communication needs, while failing to pay attention to gaps that need to be addressed in broadcasting such as training, quality, thoroughness and diversity of viewpoints.

ICASA held great promise at its inception, but has not expanded its vision in terms of how it could contribute to the improvement of broadcasting or broadcasting news in the country. This organisation also lacks the expertise needed to play a proactive role in helping broadcasters to more effectively serve their audiences.

The inadequacies within ICASA need to be addressed as a matter of urgency. The current licensing system, and the organisation itself, is poorly managed with noticeable misuse of resources. Simultaneous to this clean-up that is required, ICASA needs to shift its focus onto playing a greater role in enabling broadcasting news to serve the South African democracy. This can be done by increasing the level of expertise regarding broadcasting, and broadcasting news specifically. If ICASA were to become an expert in understanding different styles and approaches to broadcasting news, and had an intricate understanding of what South African audiences need, one can only imagine that these resources could add remarkable value to the way that broadcasting is regulated. Beyond that, ICASA could play a meaningful role in addressing the quality and reliability issues that emerged from both the literature review and the interviews in this study.

## **6.2 Unintended consequences of the policy**

To avoid excessive state intervention, and to compensate for the glaring gaps in the policy, broadcasters have turned to self-regulation by creating their own editorial codes. Additionally, they formed the NAB, which led to the BCCSA becoming the broadcasting industry's interface to manage conflicts between audience expectations and broadcaster performance. Somewhat problematic, the BCCSA code of conduct is insubstantial and lacks sufficient thoroughness and detail to protect the public interest when lapses occur. Recent history has shown that self-imposed editorial codes are difficult to enforce or challenge, except in extreme cases, where significant resources and effort are required to challenge a broadcaster at judicial level.

Television newsrooms tend to be thinly staffed and under-resourced. Broadcasters save money by appointing contractors for short shifts, leaving these contractors unable to conduct thorough research and still meet their broadcast deadlines. Inside these newsrooms, several unhealthy tendencies exist. These include personally motivated decision-making, a formulaic approach being taken to the production of news, little effort being put into researching news stories carefully, an overdependence on political parties and political events to fill the time that is required by licence conditions, and an over-reliance on the same sources for news. On the receiving end, the audiences suffer when they are presented with poorly produced news that lacks detailed research, depth and variety.

Because broadcasters are required by their licences to broadcast news, they do the bare minimum. The fact that ICASA does not focus on quality, diversity of viewpoints, research or thoroughness enforces this tendency.

### **6.3 Answering the research sub-questions**

The three research sub-questions that were specified at the beginning of this study are: 1) whether the broadcasting news policy is relevant in the context of South Africa today, 2) which values and social order are promoted by the policy, and 3) whether the policy contributes to democracy and political legitimacy.

The study showed that the policy in its current form has lost its sharpness, and relevance, but that people still believe in the validity of policy as a means to make a positive contribution to the performance of the broadcasting industry. Therefore while the policy as it stands today is not ideal, the study results suggest that the policy should be studied, addressed and corrected, as opposed to discarded in favour of other means. Policy as a mechanism to improve, enhance, regulate facts of an industry such as broadcasting news, in order to guide outcomes, is still valued. The South African context with its growing digital divide and vast economic disparities simply increases the need for the broadcasting news policy to be addressed and urgently improved.

The values and social order promoted by the policy are an area of considerable concern. When broadcasters spend the bare minimum of resources on their newsrooms, and expect minimal teams of news journalists to compile the required broadcasts, the quality of news bulletins suffers as a result. For too long, broadcasters have been able to get by with broadcasting the least number of minutes possible, in favour of filling their

quotas with weather, sport and economic indicators. Simultaneously, news journalists who work under significant strain, suffer stress as a result. The fact that ICASA manages the implementation of the policy with a box-checking approach compounds this phenomenon, as this organisation has not expanded its requirements to include diversity of viewpoints, voices, training, or quality since the inception of the policy.

Interview participants thought that the policy does contribute to democracy in a limited, rudimentary way because the structures in place such as broadcasting news on free-to-air television provide a starting point. Without simplifying the sentiments conveyed in the interviews, there is a general sense that a poor and shaky policy is still better than no policy at all, because at least in this way, people have some information on which to base their decisions. South Africa's television news is inadequate in several ways. People do however agree that the provision of information via television news is a critical element of a healthy democratic society, and that this has the potential to be improved.

#### **6.4 Answering the research question regarding the policy's effectiveness**

The normative question of whether the policy is achieving what it should, involved a complex enquiry throughout this policy study.

A key expectation of the media in South Africa is the universality of provision, which means that the communication network of a country, including free-to-air television, should reach all citizens at equal cost to all consumers. People believe that the obligation to provide access to news falls on the state, which is part of the mandate for public broadcasting, as is the mandate to license other free-to-air channels. This system is not functional at the moment as a significant amount of news is not reaching everybody in the country.

This study has shown that literacy and access determine the nature of the news that people consume. This places consumers into groups according to their level of privilege, which determines which news they can access – a situation which needs to be addressed. This problem within the macro-environment affects the need for television news to be solid, thorough, diverse and carefully constructed, as it makes people dependent on free-to-air television.

Additionally, this study revealed that there is a conspicuous lack of diversity in terms of the free television news that is available, because there are only two broadcasters providing news in English. Although the two take different approaches regarding the content they select to cover in their news bulletins, one cannot argue that there is a diversity of views available. The two cover different kinds of stories, and therefore there is no depth of viewpoints offered across the market. Feedback from the interviews indicated that both broadcasters ignore poorer audiences, and place their focus on events and news in urban areas.

The legislative and regulatory framework in place is fragile, to the point where broadcasters are reliant on self-regulation to guide their decision-making, and to help news team members make the appropriate choices. It is concerning that the different editorial codes differ vastly from each other and that the BCCSA code regarding news is particularly sparse.

The participants who were interviewed were of the opinion that the policy provides a starting point, but that it lacks thoroughness, and has become outdated. Given that South African society has evolved tremendously since the policy was conceived, there is a need to develop it further. The study's participants did however think that a weak policy is better than no policy at all, and that a better policy has the potential to make a significant difference.

The document analysis revealed that ICASA has acknowledged the need to develop the broadcasting policy further. It also revealed that the Department of Communications acknowledges the inadequacy of ICASA, which it plans to be address. The question on researchers' minds is when, where and how these steps may take place.

It is clear that the broadcasting news policy offers room for improvement, and that there is opportunity for television news to become more effective in achieving what is needed in South Africa today. In response to the research question of whether the current policy is effectively contributing to democracy, the answer is that it is contributing to democracy, but in a very limited way.

### **6.5 Recommended areas of further study**

This study revealed several gaps in the policy that need to be addressed by further study. The biggest gap is that one central, conclusive policy document is needed. Such a document should incorporate all of the constitutional and legislative requirements and serve as a conclusive policy guideline from which all broadcasters can operate. The fact that the policy rests between so many different legal and state elements is a challenge that could be solved by consolidation into one policy. An urgent focus needs to be placed on not only addressing the urgent needs of the policy, but also addressing the inadequacies within the system of self-imposed regulation.

The disparity between the investigative journalism expertise and resources between print and broadcast newsrooms needs to be addressed and studied further. The legislation that prohibits cross-ownership of print and broadcasting media has led to vastly mismatched sets of skills and expertise that operate in silos. Where television newsrooms display a shortage of skills, and time, tremendous benefits could be harnessed by sharing these resources that are stronger in print newsrooms.

Additionally, the unequal representation of areas, people and issues covered in television news, should be researched and addressed. Television news should reflect and be relatable to all South Africans.

Conflicts in the way that the current regulatory framework is structured are worthy of further study. These include, for example, the links between the Department of Communications and ICASA, and the Department of Communications and the SABC. Neither ICASA nor the SABC can operate truly independently as long as their board members are appointed by government, or dependent on government approval for so many aspects of their operations.

A shortcoming of this study was that the sample used to study the output of news included English news bulletins only. It would be useful to study the news bulletins that are broadcast in other languages as well. While English is regarded as the lingua franca of South Africa, the vernacular languages such as isiZulu and isiXhosa are spoken by a greater number of people.

This study highlights the need for a study regarding how broadcasting policy is used effectively in other countries, and how implementing organisations operate in other countries. A comparative study that includes studying the policy and broadcast landscape of other countries could provide useful research, in the South African context.

While this study focused on broadcasting news policy, which is one element of the broader broadcasting policy, it pointed to the urgent need for a policy study of the broadcasting policy in the country overall. Many of the inadequacies in news, are a result of the broader policy's shortcomings, and could be addressed through a broader approach.

This study focused on television news. However, radio is also a medium upon which many depend, and which also plays a valuable role in the provision of news in the country. Radio news is a recommended area of future study.

An additional area of research that is recommended is a study of the South African audience's needs, perception and consumption of television news specifically, in order to define news in this context, and to consider ways that broadcast news could meet their needs more effectively. Given that the mass audience is able to access so little news, their perceptions are based on this scarcity. Therefore, a study regarding their appetite, tastes, needs and tolerances concerning news could yield valuable information. With a greater understanding of which news formats are most enjoyed by television audiences, there is a possibility that news could become more appealing and engaging to audiences. The traditional format of the newsreader behind the news desk, interspersed with package inserts, is not the only way for news to be conveyed on television. There is an opportunity to explore this more deeply.

Broadcasting news policy needs to be taught at tertiary education level. Orientation training and frequent refresher training should be done for journalists, so that they can operate from a position of information regarding the policy. Broadcast news journalists need to understand the policy framework, and the crucial role that these journalists play in the broader role of democracy, not only so that they have a greater awareness of the legal framework in which they operate, but also so that they may play a meaningful role in shaping policy in the future.

Bearing in mind that this policy study was done in 2019, and the society in which any policy operates is dynamic, and ever evolving, it is also recommended that regular follow up studies are also undertaken.



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### **Interview participants**

Appel, M. 2019. Personal interview. 21 November. Pretoria.

Fourie, P. 2019. Personal interview. 26 November. Pretoria.

Greyling, G. 2019. Personal interview. 8 November. Pretoria.

Kekana, T. 2019. Personal interview. 14 November. Pretoria.

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Weber, A. 2019. Personal interview. 14 November. Pretoria.

\* While the ICASA representative did sign consent for her interview to be used, the researcher felt it best to exclude her name. In order to protect her reputation and avoid any potential negative effect on her career or personal growth, this name is a pseudonym.

## Addenda

### Addendum A: Ethical clearance for study



#### NOTICE OF APPROVAL

REC: Social, Behavioural and Education Research (SBER) - Initial Application Form

6 November 2019

Project number: 10080

Project Title: MA Journalism Research proposal - JL Griesel 22394257

Dear Ms JENNIFER Griesel

Your REC: Social, Behavioural and Education Research (SBER) - Initial Application Form submitted on 6 November 2019 was reviewed and approved by the REC: Humanities.

Please note the following for your approved submission:

#### Ethics approval period:

Protocol approval date (Humanities)	Protocol expiration date (Humanities)
6 November 2019	5 November 2022

#### GENERAL COMMENTS:

Please take note of the General Investigator Responsibilities attached to this letter. You may commence with your research after complying fully with these guidelines.

**If the researcher deviates in any way from the proposal approved by the REC: Humanities, the researcher must notify the REC of these changes.**

Please use your SU project number (10080) on any documents or correspondence with the REC concerning your project.

Please note that the REC has the prerogative and authority to ask further questions, seek additional information, require further modifications, or monitor the conduct of your research and the consent process.

#### FOR CONTINUATION OF PROJECTS AFTER REC APPROVAL PERIOD

Please note that a progress report should be submitted to the Research Ethics Committee: Humanities before the approval period has expired if a continuation of ethics approval is required. The Committee will then consider the continuation of the project for a further year (if necessary)

#### Included Documents:

Document Type	File Name	Date	Version
Informed Consent Form	JL Griesel Written consent form	22/04/2019	1
Data collection tool	JL Griesel Interview guide	22/04/2019	1
Research Protocol/Proposal	JL Griesel. Thesis research proposal	22/04/2019	2
Informed Consent Form	JL Griesel Written consent form V2	04/08/2019	2
Informed Consent Form	JL Griesel Written consent form V3	04/08/2019	3
Default	JL Griesel - request for further information	06/11/2019	1

If you have any questions or need further help, please contact the REC office at [cgraham@sun.ac.za](mailto:cgraham@sun.ac.za).

Sincerely,

Clarissa Graham

REC Coordinator: Research Ethics Committee: Human Research (Humanities)



## **Addendum B: Example of letter sent to interview participants**

Dear sir / ma'am,

My name is Jenny Griesel and I am a Masters student at Stellenbosch University. I would like to invite you to participate in a research project entitled "A policy analysis of the broadcasting news policy in South Africa."

Please take some time to read the information presented here, which will explain the details of this project and contact me if you require further explanation or clarification of any aspect of the study. Also, your participation is entirely voluntary and you are free to decline to participate. If you say no, this will not affect you negatively in any way whatsoever. You are also free to withdraw from the study at any point, even if you do agree to take part. Your identity will remain anonymous in the study, and your name will not be included in the thesis.

My study critically examines the policy governing broadcasting news in South Africa, with a specific focus on national television. It inquires whether the news policy is achieving its aims. Within the frame of a democratic legal structure, all policies are intended to support the advancement of democracy. News is intended to empower people to participate in democratic processes, and ultimately in civic life. Because electronic media is regulated by policy, the study will question the effectiveness of this policy in achieving these objectives. While this may seem a simple question, reaching the answer involves a complex enquiry, for which a policy analysis model is proposed as methodology.

The data provided in the interviews will be used for the completion of my thesis, which is part of my Masters qualification. It will be saved for potential recommendations for future studies, and for potential use in future studies.

I am approaching you to ask if you will consider being interviewed by me, as part of my research for this project.

The interview would take approximately twenty minutes, either in person, over the phone, or on Skype, whichever is most convenient for you. I will record the interview for my future reference, and to avoid the delay made by writing down what you say as you say it. It will be held in confidence by me.

Should you agree to participate, the questions will centre around the broadcasting news policy in South Africa, what it should achieve, expectations of the policy and whether it the policy achieving what it should. You would also have opportunity to comment or share any thoughts or information that you feel would be valuable to the study.

There is no payment or benefit to participating in this study. If you have any questions or concerns about the research, please feel free to contact me on [jenny@jennygriesel.co.za](mailto:jenny@jennygriesel.co.za) or my supervisor, Dr Botma [gbotma@sun.ac.za](mailto:gbotma@sun.ac.za).

**RIGHTS OF RESEARCH PARTICIPANTS:** You may withdraw your consent at any time and discontinue participation without penalty. You are not waiving any legal claims, rights or remedies because of your participation in this research study. If you have questions regarding your rights as a research participant, contact Ms Maléne Fouché [[mfouche@sun.ac.za](mailto:mfouche@sun.ac.za); 021 808 4622] at the Division for Research Development. You have right to receive a copy of the Information and Consent form.

If you are willing to participate in this study please sign the attached Declaration of Consent and email it to me at [jenny@jennygriesel.co.za](mailto:jenny@jennygriesel.co.za).



### **Addendum C: Interview guide**

What are the goals of the broadcasting policy in South Africa?

Are there any goal conflicts?

What is the policy logic?

What means are used to implement the policy?

Are there any gaps that need to be addressed?

Are there any unintended consequences?

Does the policy contribute to democracy?

Does the policy contribute to political legitimacy?

Are there any other means that could be used?

## Addendum D: Turnitin Report

### Thesis

#### ORIGINALITY REPORT

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