

MEDIA DIVERSITY WORKSHOP
26 July 2011
Johannesburg

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EXECUTIVE SUMMARY

The Right to Know Campaign (R2K), in partnership with the Freedom of Expression Institute (FXI) and the Alternative Information Development Centre (AIDC) and supported by the Open Society Foundation held a workshop with the purpose of engaging with the community media sector and activists to start developing R2K's positions on media diversity in July 2011.

Raashied Galant of FXI raised a number of critical points in his paper on media diversity, concentration, ownership and control:

- Diversity of media is considered vital for guaranteeing pluralism of opinions
- Media theorists and activists have made new observations about the role, power and influence of media in society – it is generally not free and independent of any government controls and regulations all over the world; only serve the information needs of a very small and privileged section of society; persistently hide social contradictions and the oppression of people and divert attention from it, naturally move towards monopolization as opposed to pluralism and diversity and is driven by business imperatives (the 'bottom line') and competition for larger audiences; often at the expense of in-depth and investigative journalism.
- Proposed the following definitions around diversity:
 - Diversity and multiplicity are about media platforms or titles
 - Pluralism is about the range of socially stratifying content: voices, opinions, ideologies, genres, etc.
 - Variety is about the range of content within a sub-sector or specific media title.
 - Pluralism in ownership refers to socially diverse nature of ownership.
- South Africa enjoys a highly diverse and mature media by world standards. The question is what are the new forms of power, exclusion, dominance and concentration emerging from this? Key issues in South Africa are:
 - South Africa has a highly diverse media environment,
 - South Africa has a multiplicity of platforms and a variety of media types.
 - However, there is very little, if any, plurality.
 - The growth in media options has not been accompanied by a comparable growth of independent, diversely owned competitive services and media voices.
 - There is an increased concentration of ownership in fewer and fewer hands; and the development of integrated ownership patterns across media platforms
 - There is concentration of ownership and concentration of market-share
 - Demographics of ownership remains an issue – with the exception of radio and free-to-air television - the sector is overwhelmingly white owned
 - South Africa is seeing the *refeudalisation* of its public sphere – where information becomes a commodity for citizen consumption and audiences are consumers, not citizens.
- The underlying rationale for regulating media ownership is the fear that concentration may limit the number of voices that have access to the media
 - The exact nature of the relationship between market competition/concentration and media content is contested

- all media are increasingly guided by the same commercial logic that relies on the standardization of formations and content

Mark Weinberg of AIDC highlighted the key challenges facing the community media sector and paid particular attention to the implications of the former Draft Public Service Broadcasting Bill:

- Social change requires grassroots and widespread popular mobilization.
- A robust people's media – independent of the state and commercial interests – has an important role to play in this regard and currently has the constitutional space to do so. 17 years of constitutional democracy have created an enabling environment:
 - Freedom of expression, access to information, the right of assembly, the right to protest are all protected in the Constitution.
 - There are over a 100 community radio stations in the country.
 - ICASA provides independent regulation of the airwaves
 - MDDA exists but is an inadequate funding mechanism.
- However, community media has operated for 17 years in a hostile environment – the free market
- Points of contestation are:
 - How does the community participate?
 - Non-profit or not?
 - Is there a transformative agenda?
 - Should it only be local?? What about national and international? Are we 'ghettoising' community media?
 - Can we begin to talk about peoples' media or alternative media?
- The Draft Public Service Broadcasting Bill (2009¹)
 - Aligns community radio to the goals of the developmental goals of the Republic
 - Sees the primary role of community to provide information about the municipality and Government
 - Representatives of local government to sit on Boards
 - Stations to relocate to government offices
 - Proposes the establishment of a centralized Public Service Broadcast Fund for SABC through a small percentage on income tax (1% of income tax) to will fund a wide range of things including SABC, content development, community broadcasting, signal distribution. Even commercial broadcasters could tap into this fund for producing 'public interest' content.
- The Proposed ICASA Amendment Bill:
 - Chairperson of ICASA must perform any function assigned to him by the Minister irrespective of whether or not the Chairperson considers this to be in the public interest.
 - Minister has powers to assign primary responsibility to the Chairperson and to each appointed Councillor.
 - "Minister or his or her delegate" is to chair the panel to evaluate the performance of the chairperson and other ICASA Councillors.
 - Members of ICASA's Complaints and Compliance Committee no longer appointed solely by ICASA but "by the Minister in consultation with the National Assembly"

¹ Subsequently removed by former Minister of Communications in favour of a comprehensive review of broadcast policy

Key issues that emerged from the discussion were:

- R2K should engage in the broadcasting policy review process; and needs to strengthen its positions on media ownership and control; diversity and community media; and look at issues of content and process.
- R2K should engage on issues related to ICASA and campaign for strengthening the monitoring role of ICASA.
- The upcoming regulatory processes around both the ICASA Amendment Bill and Public Service Broadcasting Bill are very important for R2K.
- R2K should take up the issues of ownership. It is important for SOS & R2K to be writing submissions requesting that laws need to be put in place to deal with ownership and diversity issues.
- R2K need to do a lot more work on media ownership and diversity and develop some kind of media diversity test and media diversity rule in order to deal with the excessively high levels of concentration in the media. It is unacceptable for one company to own 39% of the total circulation of newspapers (Media 24).
- R2K needs to find a bigger way of conceptualising its lobbying so as to bring the various elements together – “Right to Communicate”.
- R2K should engage in the parliamentary hearings into media tribunal and media transformation issues and should make the argument that media transformation cannot and must not be reduced to BEE and the BEE scorecard and should be able to propose an alternative vision of what transformation in the media means.
- There is general agreement for an overall programme to guide R2K engagement and lobbying on media transformation issues.
- More research on financial modelling is needed to determine how much media diversity costs?, how much the state should contribute towards media diversity and a model of what it costs to run a community radio station needs to be developed.
- R2K needs to empower people about media diversity through dialogue with people and needs to package content in the form of pamphlets with accessible information about these issues.
- Definitional issues around print media need to be addressed as they currently result in exclusion and there is a need to find common ground and inclusivity.
- R2K has a more encompassing intention in respect of media diversity – diversity which meets the needs of all of SA people and not only the corporate sector.
- R2K and SOS should cooperate together more. This requires more discussion around who contributes what resources and how; identifying relevant expertise and including other organisations.

Session 1: Right To Know National Summit Resolutions

Ms. Jayshree Pather (R2K) gave a brief outline of the R2K Campaign and key outcomes of its National Summit held in February. In particular, she sketched out the resolutions the Summit took around media development and diversity. Please see Appendix One: R2K National Summit Report for the full details.

- Campaign to strengthen ICASA to ensure that it functions and regulates courageously in the interest of the public, and not government and commercial interests;
- Campaign for the adequate and sustainable funding of community media. Community media should not be overly reliant on market sources of funding;
- Campaign for the adequate funding of the MDDA and to ensure that it is independent, more effective, and that it is more transparent and accountable in its processes, so that it fulfills its mandate of growing and diversifying the media;
- Ensure that community stations are democratically owned and controlled by the community, and to support communities in claiming their ownership and participation in their stations,
- Explore possible anti-trust measures to limit the concentration of media ownership;
- Reject the Media Appeals Tribunal or any statutory regulation that impacts on editorial freedom in the print sector;
- Campaign for redressing infrastructural impediments to the exchange of information including accessible and affordable broadband for internet access;
- Engage in the policy review process on the far reaching Public Service Broadcast Bill that is to be conducted by the Department of Communications to ensure that these resolutions and principles are applied and upheld in any legislation.

Discussion

The following issues emerged from the discussions:

Print media

- Independent publishers are primarily in rural areas and townships; are responsible for about 4,000 jobs, contribute R250 million per year turnover to the South African economy and have a weekly readership of 5 million. They face similar challenges to those of community broadcasters - unfair competition in terms of advertising and printing costs.
- Community radio and print should work together more closely to find solutions to the challenges. The debates should therefore be widened to include print.
- While many independent newspapers are registered as companies, they are run by people who are passionate about community access to information and not because they want to make money out of media.
- There is a definitional problems in the print sector as many terms are used to describe the sector - 'community media'; 'regional titles', 'small commercial', 'grassroots' media. To qualify as community media, the notion of papers that are entrenched in their communities and meeting community needs to be central

(community ownership and control). Many so-called 'grassroots' and 'regional' papers are under corporate/conglomerate control (i.e. owned by Caxton or Media 24).

- A more inclusive approach was also argued for – some independent papers might not be owned by community structures as in the case of community radio but are entrenched in their communities.
- There is a need to look at how R2K links up to campaigns like the 'SOS: Support Public Broadcasting Coalition' which focuses on public broadcasting. Working together and providing back-up and support to each other can create a powerful voice on these issues. There is a need to avoid duplication and to look at how to broaden scope.
- The issue of the Media Appeals Tribunal needs to be looked at. There are indications that Parliament will be looking at the MAT in the very near future - how will R2K be responding to this?

Session 2: Media Diversity, Concentration, Ownership and Control: Raashied Galant, Freedom of Expression Institute (FXI)²

Mr. Raashied Galant gave a presentation on the issues of media diversity, concentration of ownership, and ownership and control matters.

Diversity of media is considered vital for: guaranteeing pluralism of opinions – 'the marketplace of ideas'; adequate political representation and citizen participation in a democratic society. Broadly, it is the belief that media should reflect different interests, values and cultures in society and should provide access to the widest possible range of voices. Sometimes, diversity and pluralism are used inter-changeably.

A long history of media activism exists in South Africa and the region: the Windhoek Declaration of 1991 identifies the following elements as "essential to the development and maintenance of democracy in a nation and for economic development:

- 'Fostering an independent, pluralistic and free press" (though this focuses exclusively on print, the principle can be extended to mean media in general);
- 'Independent from government, political or economic control';
- 'The end of monopolies of any kind and the existence of the greatest possible number of newspapers, magazines, and periodicals reflecting the widest possible range of opinions within the community'

South Africa, Ghana, Nigeria and Egypt are in lead in terms of the rise in private, commercial and community media. In these countries, the media enjoy varying degrees of independence from the powerful sectors in society.

In Africa, the notion that private, commercial, independent media equals democracy and development has prevailed despite the prominence of community media in the debates about diversity.

² Please see Appendix 2 for the full paper

Issues of sustainability also divide along community media versus commercial media. There has been over twenty years of regional media support through the creation of organisations like the Southern African Media Development Fund (SAMDEF); the West Africa News Media and Development Centre (WANAD), the Southern African Media Training Trust (NSJ), Southern African Media Trainers Network (SAMTRAN), the Institute for the Advancement of Journalism (IAJ), and in South Africa, the Media Development and Diversity Agency (MDDA) and the National Community Radio Forum (NCRF). Only the MDDA and the NCRF have a specific community media focus, the rest provide support to commercial initiatives.

A big emphasis has on the 'enabling environment' – legislation and policy, licensing systems for broadcasting, protecting journalists, guaranteeing freedom of expression and access to information, etc.

Media theorists and activists have made new observations about the role, power and influence of media in society. This is the crux of the dilemma around media diversity that needs to be grappled with - private, commercial media:

- Generally not free and independent of any government controls and regulations all over the world
- Will only serve the information needs of a very small and privileged section of society
- Will persistently hide social contradictions and the oppression of people and divert attention from it
- Will naturally move towards monopolization as opposed to pluralism and diversity
- Will be driven by business imperatives (the 'bottom line') and competition for larger audiences; often at the expense of in-depth and investigative journalism.
- Can muscle out views, voices, identities and discourses as it develops a homogenized audience and / or panders to the most viable audiences
- Will not advocate for structural change in society unless it is for the survival of the economic elite
- Can manufacture/sustain/inflame social conflicts (sexism, racism, tribalism, xenophobia, violence against women, religious conflict). Rwanda, Serbia, Norway and South Africa serve as examples.

The idealized role of the media is:

- Playing a watchdog role to prevent government excess (the 'fourth estate' role)
- Serving as a platform for a diversity of voices and to communicate citizen's needs, demands and concerns to government
- Providing a 'voice to the voiceless' against powerful corporate and political interests
- Facilitating the social cohesion and harmony of a democratic nation

The discussion paper put forward the following definitions:

- Diversity and multiplicity are about media platforms or titles
- Pluralism is about the range of socially stratifying content: voices, opinions, ideologies, genres, etc. and variety is about the range of content within a sub-sector or specific media title. Pluralism in ownership refers to socially diverse nature of ownership.

South Africa enjoys a highly diverse and mature media by world standards. The question is what are the new forms of power, exclusion, dominance and concentration emerging from this?

The main strategy for ensuring a diverse media environment is ensuring a good mix of public, private and community media and stemming from this, regulations around media ownership. But what is diversity? Is it guaranteeing pluralism of opinion, adequate political representation and citizen participation in a democratic society?

Some formulas for diversity:

- Ownership diversity/source diversity
- Market share
- Viewership share
- Ad revenue share/market share
- Content diversity – programme/type, demographics, idea/viewpoint
- Workforce diversity
- Horizontal exposure – distribution of audiences across content options/per company
- Vertical exposure – diversity of content consumption with individual audience members

But what about:

- Cultural? Or is this vertical?
- Political?
- Ideological?
- Variety and creativity?

To what extent is community or citizen media transforming the media landscape, contesting legitimized identities and introducing new communication practices contrary to the mass, homogenized, uniform cultural categories?

So, what is the state of affairs in South Africa?

- South Africa has a highly diverse media environment,
- South Africa has a multiplicity of platforms and a variety of media types.
- However, there is very little, if any, plurality.
- The growth in media options has not been accompanied by a comparable growth of independent, diversely owned competitive services and media voices.
- The trajectory has been towards increased concentration of ownership in fewer and fewer hands; and the development of integrated ownership patterns across media platforms
- There is concentration of ownership and concentration of market-share
- Demographics of ownership remains an issue – with the exception of radio and free-to-air television - the sector is overwhelmingly white owned

What we do not know? The extent to which there is idea/viewpoint/ideological diversity and the how media corporations and business interlock.

South Africa is seeing the *refeudalisation* of its public sphere – where information becomes a commodity for citizen consumption and audiences are consumers, not citizens.

Going forward, the questions are:

- Can competition lead to content diversity?
- Can we rely on markets to create media diversity?
- Can we place the hope for diversity in the hands of community and public media?
- What about the MDDA's remit? – More media? More platforms? More types of media?

Regulating diversity

- Broadcasting has tried to regulate diversity. In print media, the discourse around pluralism and diversity is focused on issues of ownership.
- South Africa has legislation on cross-media ownership and generally applied competition law.
- In Europe and America legislation and regulations on market ownership ceilings for:
 - Projected audience reach – geographic or demographic
 - The market share of media titles
 - Ownership of any media across sectors
 - Individual owners' shares in media enterprises
 - State owned media

Ownership and control

The underlying rationale for regulating media ownership is the fear that concentration may limit the number of voices that have access to the media. The discourse of competition is creeping into the community media sector – i.e. not being able to effectively compete due to the dominance of commercial media practices or requiring subsidies in order to compete effectively in the market. The exact nature of the relationship between market competition/concentration and media content is contested – studies are either sketchy, descriptive or have failed to empirically show a causal link between content and ownership.

Those in positions of power in the media downplay the question of ownership, arguing instead that the real power belongs either to individual journalists, the market at large or consumers while others argue that the root problem is market competition and commercialization. Regardless of whether they are part of a large conglomerate or not, all media are increasingly guided by the same commercial logic that relies on the standardization of formations and content.

Does ownership matter at all in light of the power structure in society?

It is possible that competitive markets enhance the number and variety of programme types and genres available to the public but at the same time, narrow the range of political views or even exclude contentious issues altogether. An inherent contradiction in the simple fact that some social actors are better placed than others – materially and culturally – to express their views and participate in public life through the media. Hence, the 'marketplace of ideas' implies that the marketplace provides a natural and neutral logic for the operation of the media but ignores the ways in which the market itself acts as a form of censorship that privileges some voices and excludes others.

The rhetoric of 'freedom of choice' – the 'freedom' to tune in or not is also pervading the public service media where the arguments are framed as consumer satisfaction rather than public interest and social benefits.

'Can we ever have pluralism of opinions and ideas?' is perhaps the more realistic and practical question for media activists.

As South Africa grapples with the concepts of pluralism and diversity and the increased dominance of commercial media, it should do so within an understanding of the power relations between different social actors; and the problem of unequal cultural and economic power that arises from the fact that most of the media are produced by a minority for large, dispersed audiences.

While the media may speak truth to power, power also rests within the media. The media are not only powerful social actors in their own right, they are also gatekeepers on which other powerful social actors depend on. Even when guided by norms of objectivity and balance, all media institutions act selectively to filter topics and voices giving them power to define problems, set agendas and determine the limits of legitimate public discussion. The media are never completely independent from other powerful influences – pressures from government, interest groups and media owners

Discussion

Definitions

- One view about the definition was that pluralism should be defined as numbers of platforms, number of papers in existence, etc. whereas diversity was about viewpoints and ensuring that different groups (working class people, unemployed people, women, rural people, etc.) have a voice in the media.
- How do we define community media – grassroots, independent local publishers?

Diversity

- Information about the extent of pluralism and diversity in South Africa's media is not readily available and a lot of analysis is missing.
- The media targets LSM 5 and above and as such many working class people and unemployed people would struggle to find a voice in the media. We need to acknowledge that we do not have as much pluralism and diversity as we could like. Most media (radio and television to a lesser extent than print) tend to target economically viable audiences, which crowds out a whole range of voices. The experience of activists at the coalface of trying to communicate with the media needs to be captured to get richer more textured analysis and will help in shaping responses.
- There is a need for research on the problem of media concentration. The dominance of the Big Four media companies needs to be understood better because they use their bigness (they own not only newspapers but effectively control the printing press in South Africa, they own in-house advertising agencies and they have distribution agencies) and they use all of this to cross-subsidise different areas of their operations so that they can drop prices and wipe out their competitors. When a new, vibrant community newspaper comes up in small towns, Caxton and Media 24 either try to take over the newspaper or else they drop their prices to drown out the competition. Caxton and Media 24 employ dirty tricks that profoundly disadvantage independent community newspapers.
- The global recession is also impacting on diversity – the establishment of single newsrooms, the syndication of copy (for example, one story will be syndicated across The Dispatch, The Herald and The Sowetan so they almost become one paper) reduces regional news and it reduces diversity of news viewpoints within the Big Four.
- What happens when you theoretically have a range of ownership yet only voice? - this is the crux of the problem.

- Setting up more media in the current context (dependent on market forces) would be setting them up to fail.
- R2K should commission research to provide a better idea on viewpoint diversity.
- The issue of media diversity is not a simple thing – it is complicated and R2K needs to respond with equally nuanced and well thought through positions and responses.
- R2K should look at how to promote diversity and pluralism in the digital context – SMS, Mixit, smartphones.

Media Transformation

- A strong stand must be taken to ensure that media transformation is not reduced to BEE. R2K should have a deeper understanding of what it means to transform the media in order to make it genuinely representative and diverse. It must be made very clear that R2K does not believe in any form of statutory regulation of print media content, but that at the level of regulating for diversity and regulating for plurality there are serious problems and the existing frameworks are inadequate.

ICASA

- It is important to examine shifts in the broadcast sector over time and to note that government has entirely supported the concentration of broadcasting ownership – first there was a shift away from regional ownership, this gave way to national ownership but with BEE empowered groups. Government and ICASA do not seem unduly worried about the concentration of the media sector as long as companies can show the required BEE percentages. In the Electronics Communications Act, the deemed control of 25% (which existed in the IBA Act) was taken out. This means that even though there is a statutory requirement against monopolization and against cross media ownership (ownership of both print and broadcasting), it is somewhat hollow because there is no definition of control. The South African Law Commission is taking up this issue and needs support from civil society because there are huge vested interests in this issue from the corporate sector.
- Civil society needs to look at the fact that ICASA specifically excluded all of the ownership restrictions that exist in legislation from applying to subscription broadcasters - there are no ownership restrictions at all on DSTV and MNet. The role Naspers plays in Media24 coupled with the role it plays in DSTV and MNet is highly problematic. Parliament and ICASA need to be pushed to ensure that subscription broadcasting – given its massively increased revenue – be subject to media diversity issues.
- ICASA faces a number of problems: it has difficulty in delivering on its monitoring mandate. What role can civil society play in ensuring that ICASA delivers on its mandate?
- SOS has done quite a bit on ICASA but a lot of campaigning work needs to be done which R2K should take up.
- ICASA suffers from capacity problems and a very narrow interpretation of its mandate whereas in fact its mandate is very wide – there is a great deal of scope for ICASA to take

on issues including around the sustainability of the sector; and particularly around compliance and monitoring. ICASA is a crucial public institution. It should be strengthened and able to do its work.

- A point was made that issues around ICASA are complicated and needs special focus – perhaps a task team to identify issues and work on it along the lines of SOS and R2K.

Local content

- A key challenge is to get to a situation where there is viewpoint diversity. This means focusing on local content and independent production. For radio, the only local content requirements currently in place is related to music (which is not going to meet the information needs of people) – if you are not a music station, you have no local content requirements.
- In terms of local production, independent production is only a requirement for television. ICASA is currently not even monitoring compliance of local content regulations. All channels – from free-to-air to subscription– and all the SABC channels - are not complying with their local content quotas and ICASA does not have the capacity to monitor effectively. Civil society, particularly those with political clout like COSATU and R2K need to be pushing ICASA for more local content requirements and to enforce local production quotas.
- The point was made that more critical attention needs to be paid to content – do local productions that mimic American productions qualify as local content? Is a South African *Survivor* local content?
- The issue FXI is taking up with SABC around local content and monitoring of local content and the ‘blacklisting saga’ and this should be monitored closely.

Funding

- Sight must not be lost of the fact that there are two broad groups of community radio: Geographic communities and communities of interest (who largely are not struggling financially - many are quite well resourced - and because of the way they are set up, seem to be more rooted in their communities than geographic communities). The key to the sustainability and survival of geographic community broadcasters is some sort of public funding mechanism.
- Government should fund community media on the basis that is a public good and not a commodity. Government intervention in this regard is important to ensure that all South Africans have freedom of the press – not just a handful because of they are white, upper class or urban as is the case today. Many community media projects will not be able to achieve financial sustainability, as they are unlikely to ever appeal to advertisers.
- In terms of funding, the relevant SETA needs to be look at. Organisations and companies have contributed funding for years but have not benefitted from it. Direct action to unlock funding needs to be taken. There is a need to track what is happening with the MAPPPSETA (now closed down) as this is an important source of funding, skills and support.

Regulation

- The News of the World saga makes it hard to argue against statutory regulation of the print media sector. While there is a need to take a firm stand and fight against statutory regulation, there is also a need to undertake serious research into what a progressive appeals tribunal could look like. The current debates in the United Kingdom would be insightful – self-regulation has not worked and a statutory print media body is needed; the debate is about the form and structure of such a body. Civil society needs to be prepared in order to ensure that it is not bulldozed. R2K needs to be prepared with a good argument of how to regulate the media in light of the Murdoch scandal.
- A view was expressed that R2K should campaign for government regulation of the media as this cannot be left to the market; however this regulation should not allow for government regulation of content and editorial.
- The lack of diversity of status and voice, despite the number of media types and different types of ownership, is a strong reminder of the great inequalities in South Africa – there is an abundance of many things, yet they are in pockets of our society. It is clear that the market has not and cannot deliver diversity and services to our people. Media is not like any other product – it has to be treated outside of the market.
- Monopolisation issues also need to be addressed. This requires thinking outside the box and being aware that it means taking on the commercial print industry (a battle will evolve). How should we be advocating for ownership, control and concentration? If media need to get rid of titles, how should this happen? It is not an issue for the industry only.
- Legal protection for small media players need to be put in place so that bigger players cannot force them out or buy them out through nefarious means.
- What measures are there to regulate for diversity? More work by R2K needs to be undertaken – an anti-trust laws seminar perhaps?
- The problem of diversity of platforms versus viewpoint diversity will increase a hundredfold with the increase of digital platforms. The increase in digital platforms is going to lead to calls for relaxing media ownership restrictions that will be hard to resist. It will need to be resisted in a sophisticated way so that the issue of how to improve viewpoint diversity is the focus.
- R2K should not conflate issues of media quality with issues of media freedom as the ANC has done.
- Instead of MAT, government should be contributing more towards media quality and diversity.

Community Media

- Community media - whether small, privately owned; or geographic, or community of interest –must be quality media; it must be competitive in terms of professionalism, knowledge and in the way things are done. An assessment of how community media – both print and broadcast – is really doing needs to be undertaken; if there are serious problem, as is suspected, then what steps can be taken to improve the quality of community media has to be identified

MDDA

- Some important questions have been raised about the MDDA – this points to a need for an independent study on the MDDA looking at how successful or not it has been in its role? How independent is it really? Many fought hard for the creation of such an institution on the basis that state resources should be used to support an alternative and independent media sector and provide for pluralism and diversity. MDDA's progress in this regard should be measured.
- MDDA's mandate should be widened. OSF commissioned research into the MDDA a few years ago which identified its lack of sufficient funding (in turn limiting its impact) and its narrow mandate as areas that needed to be dealt with. However, even with its narrow mandate, it can still do significant research on media diversity issues and develop strategies to change things. MDDA's press releases seldom mention diversity issues.
- Print media's unwillingness to contribute more to MDDA needs to be addressed – there are huge disparities between what print and broadcast contribute to the MDDA.

Building alliances

- R2K needs to build alliances with progressive media outfits, especially those who are investing in investigative journalism– not all are 'evil'. Also, be careful about labeling companies – Primedia is seen as a white media company but its single largest controlling shareholder is a mining union.

Broadcasting

- R2K should get involved in the broadcast policy review process and feed in diversity issues
- R2K should take up the issue of ownership of subscription broadcasting.

Session 3: Prospects for enhancing media diversity: The State and Fate of Community Media in South Africa: Mark Weinberg, Alternative Information Development

Mr. Weinberg started his presentation with this quote from the Reconstruction and Development Programme (RDP)³:

“Open debate and transparency in government and society are crucial elements of reconstruction and development.... This requires an information policy, which guarantees active exchange of information and opinion among all members of society.... Without the free flow of accurate and comprehensive information, the RDP will lack the mass input necessary for its success.”

2011 is a critical year –

- ANC's proposal on the MAT puts media diversity on the table
- The Minister of Communications has confirmed the comprehensive broadcasting policy review process
- The renewed debate within the ANC over its economic 'growth path' and the role of the state.

³ Appendix 3

Community media has operated for 17 years in a hostile environment – the free market. The global economic crisis is a result of over-accumulation and over production; failure to diversify SA’s economy, jobless growth and mass unemployment, failed agrarian reform and the state as a key tool to accumulate capital (corruption).

The social crisis South Africa faces is hunger and food insecurity; a failing health and education system, mass urbanization and a housing crisis, violence (gendered, homophobic, xenophobic, etc.), weakening civil society and increased community, labour and localized uprisings. Ecologically, South Africa’s economy is still heavily dependent on fossil fuels and significant climate change is inevitable with the result being large scale migration, water wars and food fights.

17 years of constitutional democracy have created an enabling environment:

- Freedom of expression, access to information, the right of assembly, the right to protest are all protected in the Constitution.
- There are over a 100 community radio stations in the country.
- ICASA provides independent regulation of the airwaves
- MDDA exists but is an inadequate funding mechanism.

The bottom line is that the extent to which the government can defuse popular anger will be determined by the extent to which it can address their demands for socio-economic justice. These trends confirm the historical lesson that social change requires grassroots and widespread popular mobilization. A robust people’s media – independent of the state and commercial interests – has an important role to play in this regard and currently has the constitutional space to do so.

What is Community Media?

Using the Windhoek Charter on Broadcasting in Africa: “Community broadcasting is broadcasting which is for, by and about the community, and whose ownership and management is representative of this community, which pursues a social development agenda and which is non-profit”.

Points of contestation are:

- How does the community participate?
- Non-profit or not?
- Is there a transformative agenda?
- Should it only be local?? What about national and international? Are we ‘ghettoising’ community media?
- Can we begin to talk about peoples’ media or alternative media?

VISION and PURPOSE

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| NCRF Charter | “ the vision of the community radio sector is to advance participatory democracy towards sustainable development in communities. Participatory democracy encourages people to become involved in the decision-making process and to drive development. This means the station plays an active role in creating platforms for debate, discussion and the community is encouraged and empowered to share their development and express their views freely”. |
| In practice | <ul style="list-style-type: none"> • The vision and purpose of community media is being watered |

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| | <p>down by the battle for economic survival in a hostile social and economic environment.</p> <ul style="list-style-type: none"> • Most community media projects adopt financial survival as their primary strategic objective: • Keep costs down (especially staffing and content production) |
| PSB Proposals: | <ul style="list-style-type: none"> • Aligns community radio to the goals of the developmental goals of the Republic • Sees the primary role of community to provide information about the municipality and Government |

OWNERSHIP AND CONTROL

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| NCRF Charter | <ul style="list-style-type: none"> • THE PEOPLE SHALL GOVERN! • Community Radio– by law – are non-profit • Must conduct an election of their Boards at a public AGM • NCRF Charter goes further: Stations must “Set an example for other civil society organizations by working with the community to establish and nurture legitimate and transparent structures for governance, management and operations, including a Board, a Management Team, and clear operational structures.: |
| In practice | <ul style="list-style-type: none"> • AGMs and election of boards often dominated by individuals seeking ‘opportunities’ • a high turnover of Board members, • loss of institutional memory, • tensions between Boards and station staff. • Very limited participation in programming - except use of volunteers from community |
| PSB Proposals: | <ul style="list-style-type: none"> • Representatives of local government to sit on Boards • Station to relocate to government offices |

Funding

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| In practice | <ul style="list-style-type: none"> • No resources to enable community participation • Appeasing the interests of advertisers and being dependent on sponsored programmes • Many are located in communities that have limited consumer power and are not considered attractive markets to private sector advertisers • Advertising agencies perceive community radios as ineffective advertising vehicles because of their small footprints and sometimes poor administrations • Print projects remains unprotected from competition with large publishing houses and many face unfair competition • Projects lack funds to secure and retain necessary skills and resources to produce quality programming and to facilitate community participation. |
| PSB Proposals: | <ul style="list-style-type: none"> • Proposes the establishment of a centralized Public Service Broadcast Fund for SABC through a small percentage on income tax (1% of income tax). |

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| | <ul style="list-style-type: none"> • This Fund will fund a wide range of things including SABC, content development, community broadcasting, signal distribution). • Even commercial broadcasters could tap into this fund for producing ‘public interest’ content. • The DoC has not done any research on the amount of money needed and there might be Treasury opposition to this proposal. |
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Programming and Editorial Content

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| In practice | <ul style="list-style-type: none"> • Community radio stations – broadcasting for many hours a day – resort to music (often America pop) • News bulletins are read off the front pages of the commercial print media. • Dependence of the Government Information and Communication Service (GCIS) who provide ready packed news and other content • ‘Community’ as come to mean ‘local’: content is dominated by parochial stories • Often with a bias to the concerns and prejudices of rate payers or middle class sections of the community • Analytical and journalism skills are weak (little formal training or investigative reporting) |
| PSB Proposals: | <ul style="list-style-type: none"> • Community radio stations as conduit for government information |

Regulating the Airwaves

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| NCRF Vision | ICASA) established “to regulate broadcasting in the public interest and to ensure fairness and a diversity of views broadly representing South African society” (Constitution) |
| In practice | <ul style="list-style-type: none"> • ICASA decided which organizations should receive broadcast licenses • ICASA monitors stations to ensure that they comply with their license agreements • ICASA, under neo-liberalism, has a massive mandate and very limited resources/capacity to implement it. |
| Proposed ICASA Amendment Bill | <ul style="list-style-type: none"> • Chairperson of ICASA must perform any function assigned to him by the Minister irrespective of whether or not the Chairperson considers this to be in the public interest. • Minister has powers to assign primary responsibility to the Chairperson and to each appointed Councillor. • “Minister or his or her delegate” is to chair the panel to evaluate the performance of the chairperson and other ICASA Councillors. • Members of ICASA’s Complaints and Compliance Committee are no longer appointed solely by ICASA but are now nominated “by the Minister in consultation with the National Assembly” and appointed by ICASA. |

- The democratic government must regulate media to correct the legacy of apartheid and neo-liberal injustice – balance the playing field and thus defend and enhance editorial freedom of expression.
- Government must deal with monopolies – one company, one media product. This should be a small/medium enterprise and non-profit industry. The media is not a business like others – it delivers a basic human right.
- Government should tax the profits of the advertising industry and this money should be used to support the community broadcasting sector through MDDA.
- Government should amend legislation to make MDDA a Chapter Nine Institution and the corporate media sector and government should not be represented on the board of the MDDA to ensure no conflict of interest
- MDDA must fund non-profit community media to a point where they can produce quality content without having to rely on volunteers and without the expectation that they will become profitable / financially sustainable.
- MDDA must offer 'start-up commercial media (currently called small commercial) low interest loans based on business plans until they become profitable and repay the loans
- The Department of Public Works must also put money into the MDDA to pay for media project staff. The volunteer model comes from Europe/US/Australia where the social wage enables people to work as volunteers. And it is racist to imagine that 'public works' should be limited to filling holes and cutting grass. Community and alternative media do important intellectual work.
- It should be law for all media to broadcast or print their code of ethics and contact details of their chosen complaints/feedback mechanism regularly and prominently (i.e. weekly for a daily paper, daily at different times for a broadcaster)
- If we don't win on the "breaking up of monopolies", then corporations (already owning 2 or more media projects) should be forbidden to trade in areas where a community or "start-up commercial" media project has established for a 'cooling off/letting grow' period of 5 years provide they have not already been trading in the area.
- A Legal Aid Fund should be set up to provide financial support to media projects to defend themselves on various fronts - including going to the Competition Tribunal if they suspect unfair pricing/cross subsidization from corporations.
- ICASA must be properly funded and capacitated to monitor broadcasting and enforce broadcasting license agreements.

Discussion

Community media Models

- Many of the issues raised are generalizations about community broadcasting and does not really impact on the majority of community radio stations - only a few community stations are not doing what they're supposed to be doing.
- A question to ask is what are we trying to achieve by having these models given our historical challenges?. Some of the challenges are meant to address the legacy of the system we have inherited. What are those challenges and what can we do? What have different models produced in terms of content, in terms of social change in their communities? It does not seem that we have yet found the model that can produce social justice.

- Community media has power in society and should use that power for social good.
- Is it possible to have national community media? For example, Amandla magazine is owned and controlled by a board; it is fundamentally non-profit, and is distributed nationally. Another example is the research undertaken by Workers World Media Productions on the feasibility of a national workers radio station - labour is a community to be found in every corner of the country and is a truly sector representative structure. Listeners could have a stake in ownership and mechanisms to participate in production.
- One example that does not fit with the generally accepted norm of community broadcasting is a station called Breeze FM, a privately owned station. It is a community owned station in a rural area on the border of Malawi and Zambia; owned by shareholders who put money into the station (and a few business people who came together to invest in the station). It operates on a commercial basis with massive community involvement in its operations (and not only listener groups); it has various members of the community providing news services and they work with a massive amount of volunteers over a huge area. money. They get some national advertising, run classified ads and get small amounts of money paid. We need to be looking at other models, including hybrid models between community and commercial models and be open-minded about models that are not the pure theoretical model we envisage in South Africa.
- How many radio DJs have internalised the NCRF Charter? Many copy an American mentality and very few have been able to internalise the values of community radio and act on the realisation that they have a very serious role to play in a community.
- A word of caution was raised about over-emphasising governance. Looking at the impact of governance on actual content or its impact on the community is also very important.
- The impact of community radio on community cohesion has not been studied much in South Africa – to what extent have communities come together as collectives around issues and how has community media facilitated this or not? On the other hand, community cohesion is at odds with diversity. Social cohesion is a phrase that comes up again and again in ANC documents but how do we hold the contradictions together? How do we give a voice to minorities and to those who challenge our view of things?
- There are numerous community radio stations that have the proper legal governance structure of a board but one wonders if these stations subscribe to or are committed to the values outlined in the NCRF Charter: pro-poor, pro non-discriminatory. This points to the fine line between alternative media and community media - alternative media is an ethos and an ideology. We need to grapple with how we develop this ethos over and above dealing with governance issues. The challenge is how to instil such an ethos as it cannot be legislated or regulated
- There are two ways of looking at community media: Andries Tatane started a newspaper, *Your Voice* in Ficksburg with the motto, "*we are the voices behind the*

mountain” and there is a newspaper in Cofimvaba where the community describes the paper as “a high powered lens focusing at ground level”. These two quotes coming out of communities are very powerful - one is about how you help to inform change and the other is listening to the community and engaging with the community and feeding it into to your community media. Those two voices have to come together so that we can start working towards the ethos.

- There is an urgent need to explore different models. The reality is that many of these stations or newspapers are in very under resourced marginalised communities and in fact, the community station is an important source of employment, training and a source of opportunity. In the absence of other sources in that community, this is perfectly legitimate.
- We need to have a more nuanced view of who wants community media, who wants alternative media and who wants commercial media. This is most starkly seen in community TV where the Urban Brew model is coming into community TV stations. The people running these stations are buying into the Urban Brew model because it is about money. They want to be small commercial TV stations. There is no legislation, no support, and no mechanism for small commercial television entrants so many go the community route in order to access the licences, and the support. There needs to be a clearer framework. MDDA recognises small commercial print but does not recognise small commercial broadcasting.

Accountability

- The sectoral model of accountability is one model - there are other good models of accountable community radio stations. While every model has its pros and cons., it is local conditions that should determine what kind of structure works. There cannot be prescriptions about the kind of model that can be adopted in a particular community. What is problematic about the Public Service Broadcasting Bill is that it starts to dictate how the community media sector must look like in terms of governance, etc. Whatever the new Bill proposes, it must be flexible and capture a bottom up, community-led approach.

Broadcasting Policy Review

- While the draft Public Service Broadcasting Bill has been withdrawn officially, it is important to know what the present thinking is within the DoC and to start thinking about alternatives that could be presented during the policy review process.

Regulation

- The State has role to play in ensuring media diversity and this does require prescribing some things.

Funding and sustainability

- There is a need to distinguish between community television and radio as there are different dynamics in each sector. Though they are related share similar objectives, there are structural differences. For example, in urban areas there are many community radios but only one TV station and community radio is subsidised by the DoC for transmission costs, but there is no such subsidy in place for community TV.
- A major factor in sustaining community media is funding and the PSB was attempting to address the funding question. A push for some kind of funding

mechanism to support community broadcasting must be made because the reality in other countries is that there are legislative mechanisms for financial support to community broadcasting.

- It seems logical that there should be some kind of support for community broadcasters coming from the local level and from the municipality. The question is how to do that in a way which provides that support and at the same time does not place stations under the control of the municipality. And the question of support for community broadcasters from a national level and a provincial level must also be addressed.
- A crucial question to consider when creating a fund for community media is to establish how much money is actually been talked about? What is the core running cost of 100 plus radio stations, community television and small commercial media and the SABC. Does this research exist? MDDA or government should conduct this research. In addition to determining the scale of funds needed, the research should answer important questions like the number of investigative journalists needed for a station that is on air seven days a week times, 24 hours a day. Investigative journalism means proper salaries for journalists so staffing costs need to be built into the costing.
- Putting a tax on adverts is something that should be discussed with economists.
- While the era of digital migration creates much more room for more stations (the limited FM frequency is no longer an issue); the market still imposes limits – there is only so much advertising available. There is never going to be a market in a village in Limpopo for 5 magazines or newspapers so the notion that the Pentecostals and the Zionists should each have a monthly magazine is far-fetched; the village will be lucky to have one village magazine or newspaper. But whose magazine is it? Are there limits to Government's support that need to be acknowledged?

Popular education and campaigning

- As a result of the demobilization after 1994, communities' power was taken by the ruling party. During the dark days of the struggle a school in a community not only belonged to the Department of Education but also to the community; especially after school hours. Since 1994 schools are being vandalised because communities have been demobilized – they have been left helpless and power has taken away from them. This is a deliberate thing. We cannot expect the government to raise the awareness of the community and inculcate that sense of collectivism.
- It is imperative to make communities aware that a radio station does not operate in isolation. The message must go out that: 'It is your radio station; you must be involved in its running, and you must be able to tell your community station what kind of programming you would like broadcast; to make it truly a community station you ought to be able to communicate with it'.
- Most communities don't know about digital migration. ICASA and the DoC should be engaging these communities so that they understand the jargon involved but there is a gap between community broadcasters, ICASA, the DoC and the community.

- While there is a need for workshops of this nature, we need to be conscious of the kind of language that is used - will ordinary people be able understand what is being talked about? Too often these discussions become very academic exercises. How do we talk about digital migration in a way that ordinary people understand? The idea is for people to understand so that they become involved in something consciously so we need to re-think the language we use to facilitate this understanding.
- The reality given our history as a country is the situation where people believe that government must provide everything. We say we want to guard the independence we fought for so much but in the mind of an old lady, perhaps government must take over the community station so that it can be properly run - in her mind everything that comes with government is geared to run properly. All she sees is a radio station that plays music the whole day and does not address the needs of the community so she thinks Government must fix the mess. How are we going to make sure these discussions really go to people who can fully participate? We need to ensure that this discussion does not become a 'boardroom' discussion. We cannot sit in seminars and academic workshops and pontificate about what the people want to read, how rural people are not catered for etc. Instead we should doing finding out what people think about these issues and what they want - how much research has been done of what people want in their newspapers, radio stations or televisions? This is critical.
- How do we take our campaign to rural areas?
- As we engage people, it is important to make them see what is out there for them because in most cases people are just subjects for research and documents. Our approach and research should be participatory; enlightening and developmental so that people are agents in the process. We need to preparatory community dialogues as a precursor to dealing with these issues so that people will be ready to participate in a meaningful way. Meaningful participation means that people are not just recipients of information, but are part of producing information.
- Caution was raised about two traps media activists can walk into, i.e.
 - Knowing what the people want – we are not the voice of the people and the incorporation of people means creating space for more than one voice
 - Giving what the people want - there is an element of giving people what they don't necessarily get and what they not necessarily comfortable with; an element in the realm of conscientization, of providing other views. If people want American Idols must we just give it to them? There is an element giving them something new and different to think about and broaden their horizons.
- Community reportback is very important. In line with participatory democracy, it is important that communities are aware that there is this kind of engagement so participants need to go back to their communities and report back.
- Why is the media not engaging with the issue of what is wrong with our economy and about people's struggles and demands for social change? What the people want is social change and the media can facilitate dialogue on this an idea of community media.

Session 4: Campaigning for media diversity – Mark Weinberg, Alternative Information Development

The following areas of consensus about the way forward for R2K:

At the policy level – there is strong agreement that R2K should engage in the policy review process; and needs to strengthen its positions on media ownership and control; diversity and community media. This needs to involve content and process.

R2K should be engaging on issues related to ICASA and campaign for strengthening the monitoring role of ICASA. Both the ICASA Amendment Bill and PSB Bill have been withdrawn which shows recognition for the fact that they are bad bills. The upcoming regulatory processes around these are very important for R2K.

R2K should take up the issues of ownership. The Law Reform Commission has already drafted a very detailed paper advocating for certain aspects of reform that have a narrow ambit - looking at equality issues and some ownership issues and. It is important for SOS & R2K to be writing submissions requesting that laws be put in place to deal with ownership and diversity issues.

R2K need to do a lot more work on media ownership and diversity and develop some kind of media diversity test and media diversity rule in order to deal with the excessively high levels of concentration in the media. It is unacceptable for one company to own 39% of the total circulation of newspapers (Media 24).

R2K needs to find a bigger way of conceptualising its lobbying so as to bring the various elements together – “Right to Communicate”.

R2K should engage in the parliamentary hearings into media tribunal and media transformation issues and generally. It should make the argument that media transformation cannot and must not be reduced to BEE and the BEE scorecard and should be able to propose an alternative vision of what transformation in the media means; and that there needs to be regulation for media diversity. There is general agreement for an overall programme to guide R2K engagement and lobbying on media transformation issues.

More research on financial modelling; determining how much media diversity costs, how much the state will contribute towards media diversity and also interesting to know what how much profits has gone out of the country to Tony O’Reilly’s empire. A model of what it costs to run a community radio station needs to be developed.

R2K needs to empower people about media diversity through dialogue with the people and needs to package content in the form of pamphlets with accessible to information.

Definition issues need to be addressed. They currently result in exclusion and we need find common ground and inclusivity in respect to community broadcasting and its definitions and structure as opposed to community print sector.

R2K has a more encompassing intention in respect of media diversity – diversity which meets the needs of all of SA people and not only the corporate sector.

R2K and SOS should cooperate together more. This requires more discussion around who contributes what resources and how; identifying relevant expertise and including other organisations.

In terms of taking this back to communities and how to make this meaningfully participatory:

- R2K discussions should be facilitated the email list and people should be encouraged to become active in their provincial R2K working groups so that they can champion these issues in their province
- Circulate two new versions documents – revised discussion documents that incorporate the feedback from this meeting and a popular education document.
- Develop a plan for community meetings and take the documents to communities
- R2K to have a series of provincial summits in August, followed by a national summit in November.
- Depending on the outcome of the Secrecy Bill process, R2K should convene a set of gatherings to discuss responses and include room on the agenda for media freedom and diversity discussions as well.
- Strengthen the connection between community media and media diversity.

At some point R2K is going to have to agree on what demands to campaign on and how to mobilize people in support of this.

R2K should be thinking of how it can support whistle blowers who have been subjected to disciplinary measures and to develop practical mechanisms to support them and their families. R2K can start to build a picture where threats are coming from and to anticipate whether they are spreading to other parts of the country and can start a campaign to stop the silencing of whistle blowers.

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| Recommendations |
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- R2K should engage in the broadcasting policy review process; and needs to strengthen its positions on media ownership and control; diversity and community media; and look at issues of content and process.
- R2K should engage on issues related to ICASA and campaign for strengthening the monitoring role of ICASA.
- R2K should take up the issues of ownership. It is important for SOS & R2K to be writing submissions requesting that laws need to be put in place to deal with ownership and diversity issues.
- R2K should engage in the parliamentary hearings into media tribunal and media transformation issues and should make the argument that media transformation cannot and must not be reduced to BEE and the BEE scorecard and should be able to propose an alternative vision of what transformation in the media means.
- R2K should commission research to provide a better idea on viewpoint diversity
- R2K should look at how to promote diversity and pluralism in the digital context – SMS, Mixit, smartphones.

- R2K should have a deeper understanding of what it means to transform the media in order to make it genuinely representative and diverse.
- R2K should take up the issues of ownership. It is important for SOS & R2K to be writing submissions requesting that laws be put in place to deal with ownership and diversity issues.
- R2K needs to empower people about media diversity through dialogue with the people and needs to package content in the form of pamphlets with accessible to information.
- R2K and SOS should cooperate together more.
- R2K should be thinking of how it can support whistle blowers - develop practical mechanisms to support them and their families; start to build a picture where threats are coming from and start a campaign to stop the silencing of whistle blowers.

**R2K /AIDC / FXI Media Diversity Seminar
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