

Debate about debate

••• ————— by Lesley Cowling —————

Reports about the SABC's apparent ban of certain commentators from its programmes last year led to a hotly-contested debate aired largely in the pages of the print media. The controversy intensified when the final report of the commission, set up by the SABC to look into the allegations was not released to the public. The issue continues to reverberate, as the Freedom of Expression Institute is now pursuing a case against the SABC with Icasa, the broadcasting regulatory body, arguing that it has failed to fulfil its mandate as a public broadcaster. The "blacklisting" issue was particularly interesting, then, to our research group at Wits University, which examines the role the media plays in providing a space for public debate in South Africa.

The day-to-day demands of producing news necessarily restrict who is chosen to comment and what issues are discussed. How these individuals and ideas are selected is crucial to understanding what kind of discussions, issues and voices appear in the media, and clearly important to a country that is wrestling with the demands of being a new democracy.

The group decided to investigate the following questions:

- What led to the on-air dispute on SAFM between presenter John Perlman and SABC spokesperson Kaizer Kganyago over whether certain commentators were being barred from SABC shows?
- In what ways does the SABC, in its day-to-day news operations, attempt to fulfil its public service mandate to represent a diverse range of opinion and voices?
- How do the SABC's executives interpret the broadcaster's responsibility to be accountable?
- What does this debate say about how the media reflect on and evaluate their role in providing a forum for public discussion?

The individual research projects showed some interesting things. The first is that the professional ideology of journalists, which commits them to certain values and practices, is also deeply personal – it is part of the way in which

individual journalists define themselves – and so they feel compelled to fight for it. However, they defend it in particular kinds of ways that conform to their understanding of how journalists operate; they do not simply defend values, but the practices and organisational structures they consider to be inextricable from those values.

Secondly, the general processes in place at the SABC to source commentators are thorough and systematic, and attempt to fulfil the criteria of diversity, expertise, and representivity of race, gender, region and language. However, the process privileges educated black men, who form part of an elite, and under-represents the voices of women, and the poor and working class.

Thirdly, although all the participants contesting the issue fundamentally agreed on the values of public broadcasting, accountability and providing a space for public debate, there are widely divergent positions on what that means in practice. The "journalistic" position (largely supported by legal and judicial opinion) imagines the media as a space between the public and government, while a majoritarian position imagines the public as represented by Parliament, through democratic elections. The public interest and the national interest are often conflated.

Finally, the debate in the media indicates a "policing" by the media of its professionalism and an attempt to regulate journalistic practice by criticism and disapproval of an aberration. However, what was largely missing from this debate was any wider reflection by the news organisations on their own gatekeeping in choosing commentators and analysts.

What also became evident was that there was little middle ground, with both sides accusing the other of acting in bad faith. There was a wide ideological gulf between the contestants in this debate, which seems to indicate conflicting ideas about the role the media should play in a democracy – particularly in relation to government – and very different ideas about the public and how it should be represented.

The Media and Public Debate project is a collaboration between the Journalism programme at Wits University and the Public Intellectual Life project, led by Professor Carolyn Hamilton

Professiona

••• ————— by Nazeem Dramat —————

The disagreement on AM Live on 22 June 2006 was a rare instance in which a news organisation's process of convening public debate became the focus of public debate. The issue got onto AM Live in the same way as issues usually do – in response to a news story. The *Sowetan* had reported the previous day that a number of media commentators had been "black-listed" by the SABC director of news Dr Snuki Zikalala. The broadcaster's spokesperson Kaizer Kganyago denied the report, but presenter John Perlman contradicted him on air, saying that he had personal knowledge of instructions banning commentators. This kicked off the furor.

Interviews with a range of people associated with AM Live and the SABC found that this eruption was the end point of a long period of contestation, in which the journalists and producers of AM Live attempted to defend what they saw as threats to their professionalism.

In the usual course of events, journalists operate in a fairly routine way, following a set of professional practices and principles. Differences over what issues should be raised and who should comment is also a usual part of the process, and is managed within news organisations. Any departure from these journalistic procedures is resisted. At AM live, the resistance was actively pursued, in ways quite characteristic of its culture.

AM Live was launched as a "transformed" news and current affairs programme in 1995, with the majority of new recruits coming from what had been the alternative media under apartheid. They set about transforming news programming to fit the changing dynamics of the country.

The range of opinions on air soon began to mirror the intellectual discourse and robust contestation that happened on the AM Live terrain. "We fight a lot to get the stories we are passionate about on the agenda. So I go to the meetings with at least two story ideas I've decided I will push," said one interviewee. This strategy appeared to pay off in terms of product: AM Live became a flagship current affairs programme and had the highest audience ratings on SAFM.

However, AM Live journalists have to negotiate conflicting demands: there's the station, SAFM, with which the programme has a historically-strained relationship, and the structures of the SABC's news division located in Johannesburg, and the regional and specialist desks of the news division. All these are overseen, ultimately, by the group executive of news and current affairs, a position currently held by Snuki Zikalala.

Despite ongoing negotiation with other divisions about what should be covered, AM Live staff understood their programme as having significant autonomy. This autonomy has been actively defended, and staff have historically resisted SABC news hierarchy's attempts to influence content.

The cosmo

••• ————— by Refiloe Lepere —————

The banning of certain individuals from SABC programmes was seen by many as a departure from the usual way in which a public broadcaster should operate – to provide a space for a range of diverse voices that reflect differing opinions. The SABC, for many South Africans, is the only source of news and therefore considered to have a special responsibility to its audience of 19-million radio listeners and 18-million television viewers.

But how does a broadcaster with an audience so large and diverse select commentators and issues to conform with its mandate to be both representative and diverse?

I attempted to investigate how the SABC – in the normal process of doing business – goes about selecting its commentators. I asked what criteria inform that process and what difficulties it encounters.

The research focused on three SABC radio stations: SAFM, Lesedi FM and Umhlobo Wenene FM. Umhlobo Wenene FM is a Xhosa broadcast, and reaches 4.9-million

Journalism and resistance

*'I come to work to practice journalism
– not to do as I'm told.'*

The bulk of the material for the show is generated by the AM Live team and largely consists of live interviews with newsmakers and commentators. Because of the unique challenges of live radio, there is careful screening of guests and producers do pre-interviews with potential commentators.

"I believe it is important to try out new people all the time," said one journalist. "However, if it's a big story you may not want to compromise on quality and will go for the tried and tested."

The crisis developed from a routine decision taken at the morning meeting on 28 March 2006, when *Business Day* Political Editor Karima Brown was chosen as a commentator for the next day's show to discuss the ANC leadership race. A producer called Brown shortly afterwards to line her up. That same afternoon, the producer was told by a senior producer – who had "heard in the corridors" – that "we are not allowed to use Karima". The producer consulted AM Live's executive producer (EP), who consulted the head of radio, at the time, Solly Phetoe.

The EP came back to the producer to confirm that Brown could not be used as a commentator. The instruction was simply conveyed, interviewees said, and there was "no communication, verbal or written" or discussion on the matter. The AM live team then tried to get an explanation by asking for reasons at their meeting on 29 March. They got no answers. Individual journalists then made several calls to Phetoe directly, which initially went unanswered. Then one journalist was apparently told that Zikalala was "unhappy" because an article Brown had written on President Thabo Mbeki the previous year had factual errors.

In the following weeks the AM Live team regularly checked in with the EPs for updates but to no avail. They said in the interviews that they were "never engaged on the matter" at any stage by Zikalala or other heads. Then in May a similar restriction was applied to analyst Aubrey Matshiqi. The details around the "restriction" were not clear from the interviews, as the interviewees had the story second-hand. However, what was agreed is that a producer was informed of it on Sunday 7 May while preparing for the show.

One journalist then sent an email (dated 9 May) to the AM EP Steven Lang, asking for clarity. "We were told on the weekend that we can't use Aubrey Matshiqi as a debate guest and a similar issue arose when we intended to

use Karima Brown." Lang passed it on to Phetoe, who apparently passed it on to Zikalala. Again there was no response.

On 25 May Lang informed staff that "management was drawing up guidelines on analysts" and would "address staff" when the document was "ready for discussion". AM Live staff then asked what applied in the interim. "Were we allowed to line up interviews with Karima Brown and Aubrey Matshiqi?" The EPs responded that they did not know. On 30 May Zikalala met the on-air team after the show where the matter was "raised with him". Zikalala's reason on Matshiqi was that he was an "independent analyst, unattached to any institution or research body".

Then came the publication in the Sowetan on 20 June of the blacklisting allegations. The same day, six AM Live journalists co-authored a letter to the SABC CEO Dali Mpofu outlining their "concerns". At the morning meeting of 20 June, staff discussed ways of covering the matter on the show, but could not agree. Lang was present at the discussion and "suggested that we leave it for a couple of days". He also indicated that any plans to cover the story had to be discussed with Phetoe. The following morning the Sowetan had a follow-up story, and several other media had picked up on it.

The AM Live on-air team hurriedly tried to get hold of Mpofu, but was unsuccessful, so they lined up Kganyago. In discussing the show, the team considered how they should handle the situation if the "blacklisting" was denied, and decided they would publicly contest any untruths and through that challenge the erosion of their operational decision-making powers. As one journalist put it: "I come to work to practice journalism – not to do as I'm told. "The decision to "out" management was prompted by their understanding of their role as journalists – not to mislead the public.

It became clear from the interviews that the journalists at AM Live saw the ways in which the commentators were excluded as more significant than the exclusions themselves. Firstly, there was no discussion of the decisions, which the journalists saw as creating the conditions "for a newsroom culture that was void of critical engagement".

Secondly, the decisions were conveyed through middle management and line managers, who had not been party to the decisions or themselves been given a proper explanation, which was seen as a breach of accepted lines of communication and decision-making.

Finally, the journalists exhausted internal mechanisms to press their case. The public platform of their programme became the place to give expression to their resistance to the erosion of their powers and functions. The personal nature of their resistance was such that six of the journalists have subsequently resigned.

cosmopolitan, black male ideal

listeners, and Lesedi FM, a Sesotho broadcast, reaches 2.65-million. It is important to note that there is a high percentage of illiteracy and poverty in the rural areas reached by these two radio stations.

SAFM, on the other hand, caters for an English-speaking audience that is generally more affluent and educated. Thus the choice of commentators by these stations was of interest in revealing how the public broadcaster serves a range of social groupings.

Because access to information is considered to be important to citizenship in a democracy, I chose to look at the scheduled commentators for the SABC's broadcast of the South African local government elections that were held on 1 March 2006.

The SABC has a research department that produces lists of experts and potential commentators on a range of topics, and producers and journalists can consult these lists. I looked at which commentators were on the lists produced for the elections, interviewed compilers of the lists to find out what criteria they used to choose commentators, and interviewed

producers from the stations about who was ultimately used for comment and why.

The criteria that compilers and producers used to select commentators/analysts were:

- Expertise: it was important that the experts were well informed on the subject and its aspects, so that news items and debates were credible to the audiences.
- Language diversity: the SABC's mandate requires it to broadcast in all 11 official languages.
- Location: programmes are broadcast into all nine provinces and there had to be commentators based in those regions and able to speak the regional languages.
- Gender: equal representation was a commitment.

The lists of commentators compiled by the SABC were produced carefully, consultatively and systematically. The SABC also actively attempted to fulfill a number of public broadcasting criteria, which included a diversity of voices and expertise.

In practice, however, the characteristics of the actual commentator did not always manage to match the criteria, as

the demands of production influenced the outcome in certain ways. For example, the commentator had to be an individual who could be used for an African-language as well as an English-language programme. This person was, therefore, likely to be black. The criteria also placed emphasis on academic professionals, thus privileging elite voices.

The study also identified a bias towards male commentators. The reason provided by the interviewees for this was that there are few women in the areas of expertise needed for the coverage of elections. However, the lack of women in broadcasts could reinforce societal norms that women do not know about the functioning of society, and are not part of decision- and policy-making processes.

Organisational constraints and the independence of producers, who often use their own judgment about audience tastes, as well as the emphasis on expertise, tend then to make the cosmopolitan, educated, black man the ideal SABC radio commentator. This may be good in terms of terms of the representation of race, but it does mean that working class, rural and female voices are not foregrounded.

understanding 'accountability'

'The print media insists that being accountable to the public means we must account to them directly.'

... by *Rehana Rossouw*

There is general agreement that public broadcasters should account on a regular basis to the people they serve. Usually, broadcasters account to the public through their board members, who are regarded as representing the broad spectrum of public opinion through a public nomination and selection process. Board members then account to the public at regular meetings with elected representatives in Parliament.

But some public broadcasters have instituted other accountability forums, such as advisory councils and public meetings. Public broadcasters generally develop detailed criteria for their work – including charters, editorial codes of conduct and programming policies – which are used to measure whether they have met their mandates.

Our research looked at how the executives and staff of the SABC interpret the notion of accountability and what mechanisms they see as sufficient to account to the public. We found a disjuncture on the issue between the SABC's former and present staffers (the journalistic point of view) and the board (as represented by Thami Mazwai, interviewed for this project).

Mazwai believes public accountability is achieved in the broadcaster's annual report and adds that it is "entirely appropriate" that the SABC's major public reporting exercise annually is to Parliament.

He interpreted criticism of SABC's accounting practices as a move by commercial newspapers to force the SABC to account to them. "The print media insists that being accountable to the public means we must account to them directly. Our annual report is available to everyone."

Mazwai contends that the SABC is not a watchdog of government. He says the SABC's function, certainly in terms of reporting the news, is to protect the rights and interests of civil society; to protect everybody – including government and big business. This is because peoples' rights are not only at risk from government, they are at risk from many other sources.

Parliamentarians are elected by the public, and therefore, "more than anyone else, they are the people to whom the SABC should report, because they, in turn, report to the people. To what other forum than Parliament and the portfolio committee does the print media suggest we deliver our annual report? Should we print copies for every member of public? Shall we invite them all to visit our offices so that we can brief them individually on its contents? Shall we travel to every township

in the country to hand them out?"

Mazwai says the process used to appoint the SABC board is a measure of its commitment to public accountability. Members of the public nominate potential board members. After a shortlist is announced they are subjected to public scrutiny via the media.

Mazwai also argued that the SABC does not pursue news from the same vantage point as the commercial media. Its mandate is to ensure a service to society with respect for criteria such as language, culture and religion. The SABC board has several subcommittees to provide oversight, including a news subcommittee which is responsible for policy issues around coverage. "For instance, we will look at whether coverage is politically sensitive; that people are not merely reporting on one political party; and that news is balanced in terms of issues like culture and religion."

Mazwai, a member of the news committee, says it reports regularly to the board. The committee also examines what is reported in other media about the SABC and will ask management to account if there is criticism of the broadcaster. When the allegation of the blacklist was raised in the media, board members asked why this was happening at their very next meeting.

Mazwai says the SABC's board and management meet stakeholders "from time to time". There were two meetings with the Congress of South African Trade Unions last year and they had meetings with organised business as well. He says they meet in the provinces with community leaders "such as premiers and other elected representatives of the people", to measure the degree to which the people are satisfied with the work of the SABC. And the SABC also hosted a media and society conference as a way of interacting with the public.

The SABC road shows, when the broadcaster travels to the provinces, are also an important part of their accountability, Mazwai argued. He says the SABC meets with politicians when they travel as they are the representatives of the people. But they meet with other sectors of the community as well, including non-governmental organisations: "Normally, they give us a roasting, people always complain that we're too Gauteng-biased."

After the road shows, board members sift through the complaints and prioritise them for management to deal with them, Mazwai says. The board always ensures that management has dealt with the complaints.

Mazwai says he believes most of the criticism of the SABC is generated by the print media, which are direct competitors with the public broadcaster and motivated by a commercial agenda. "Sometimes they pretend to be acting in the public interest when they only have a revenue-generating agenda. The SABC hogs most advertising in SA, and the print media has to fight for every rand and will use every method to do so."

However, it is interesting to note that what

we have called the "journalistic" approach to accountability tends to be supported in South Africa by the legal and judicial establishment. Gilbert Marcus and Zwelake Sisulu, who were appointed by the SABC's CEO, Dali Mpofu, to lead a commission of inquiry into the blacklisting allegations, said in their report: "The issues canvassed in this report are matters of substantial public importance to South African democracy and the role of public broadcasting therein. It would indeed be abhorrent, and at gross variance with the SABC's mandate and policies, if the practices of the old order were being repeated in the new, with the effect of again disqualifying South Africans from democratic discourse and debate. For this reason, we are firmly of the view that this report should be released to the public after consideration by the board."

The report concluded: "As custodian of the SABC's mandate, the board... needs continuously and publicly to emphasise that the corporation is the property of all South Africans. Accordingly, the board's leadership should encourage SABC personnel to recognise their accountability to the public at large in terms of programming, ethos and presentation of a full spectrum of views and discourse within the country. In these ways, the corporation can move forward from the damaging incidents around the 'blacklist' controversy."

Despite this recommendation, the board did not release the report, and when it found its way on to the *Mail&Guardian's* website, the SABC took the newspaper to court to get it removed. The judge who heard the case ruled that the report was clearly in the public interest, thus taking a journalistic view of public interest.

It seems that the SABC, while espousing the value of accountability and committing itself to acting in the public interest, has difficulty putting this into practice. Mazwai points out, quite rightly, that it is impossible to canvass all the members of the public, and therefore the SABC has to account through its mechanisms to representative entities. However, he rules out the "print media" as a forum through which to account to the public, and argues that Parliament, as the elected representative of the majority of South Africans, is the appropriate forum.

The "blacklisting" controversy, however, shows that the issue of public accountability is a thorny one when it comes to matters of news and analysis, as the news media generally takes the position of being the watchdog of government. To account to government, therefore, on allegations of political bias, seems an inadequate exercise that cannot be justified by majoritarian arguments.

The allegations of “blacklisting” led to an almost unanimous condemnation from the print media and other broadcast media. The print media, in particular, took up the issue with fervour, dedicating hundreds of column centimetres to keep the public service broadcaster in check. The private broadcast media followed suit, albeit with slightly less enthusiasm.

The SABC was accused of exercising self-censorship in excluding commentators critical of government and of attempting to suppress information deemed to be in the public interest.

The debate provided an opportunity for all the media to reflect critically on their role in a transitional, democratic society but it was treated as a regulation of journalistic professionalism and an attempt to police what was seen as an aberration from the norm. As Herman Wasserman has argued, the media try to “police the boundaries of the profession by reiterating accepted definitions of what it is to be a journalist”.

Policing the aberration

The commercial media, academics and civil society attempted to exercise an active regulatory and policing role of what they perceived as an aberration of journalistic norms

... by Shirona Patel

The “blacklisting” controversy allowed for an examination of how “policing” occurs both formally, through the adherence to professional ethical codes and policies, and indirectly through the remarks and actions of academics, media commentators and peers.

The SABC is subject to the regulatory framework of the broadcasting industry and is answerable to the Independent Communications Authority of South Africa, the Broadcasting Complaints Commission of South Africa and the Advertising Standards Authority. Aside from these legislative directives as stipulated in the Broadcasting Act and the sanctions set down in the Constitution, the media in South Africa are self-regulated.

Wasserman maintains that the self-regulatory system, while preferable to the controlled system under apartheid, “does not seem to be working all that well due to ongoing debates about the role of the media in a transitional democracy, an increased commercialisation of the media and the interpretation of ethical norms through different value systems”. The debates around the “blacklisting” reflect these different value systems.

Despite the critical stance of most of the media commentators towards the SABC, our research showed that the four-month public conversation was dominated by Group Chief Executive Officer of the broadcaster, Advocate Dali Mpofu. He was by far

the most vocal commentator, quoted in almost 40% of all print media articles and 74% of all broadcast inserts. His participation ranged from commenting on issues pertaining to the process of the inquiry and defending the decisions made by the SABC, to lashing out at the print media for being too critical and shouting down the “bloodlust of the right-wing lobby and its fellow travellers in the mass media”.

Mpofu was so visible because he made himself available for interviews on SABC radio and television channels. Moreover, 86% of the coverage of the blacklisting saga emanated from the public broadcaster. Some airtime was afforded to the issue by commercial radio stations but the controversy was not covered in news bulletins by the free-to-air television station e.tv. He was also vocal at several media gatherings. He lashed out at the print media at a meeting of the Johannesburg Press Club in July. At the Media and Society Conference in October, organised by the SABC, he introduced a new dimension to the debate, publicly accusing certain factions (based on racial and class distinctions) of vying for the power of the SABC.

Mpofu strategically shifted the debate from media policies and practices at the SABC to encompass practices of gatekeeping and self-censorship across the entire media sector, arguing that all media privilege certain commentators and exclude others. However, few other commentators really engaged with this issue and tended to treat it as a red herring. Mpofu’s visibility in the debate tended to be because he was a participant in the story, and the journalistic requirement of fairness meant that he was offered the right of reply.

Other commentators who were vocal tended to come out of the media world, drawn from the ranks of editors and journalists, media-related NGOs or from journalism programmes at universities. Academics like Professor Anton Harber, Professor Tawana Kupe and Franz Kruger engaged with issues as the controversy evolved, as did the Freedom of Expression Institute and the Media Monitoring Project. At editor level, Ferial Haffajee, of the *Mail&Guardian* was engulfed in a legal battle with the SABC over the release of the inquiry report, while Peter Bruce, editor of *Business Day*, and Martin Williams, editor of *The Citizen*, engaged in a public spat with Mpofu. Political editors dedicated entire columns to the discussion and most newspapers had dedicated journalists to follow the story.

At another level, blacklisted commentator Karima Brown (political editor of *Business Day*) entered into a public row with Pippa Green (former head of SABC Radio news) and also into a spat with Christine Qunta (SABC Board member) over media practices at the SABC. Thami Mazwai (SABC Board member) and Harber also clashed in the *Business Day* on the role of the public broadcaster in a transitional democracy.

But what did all this mean? Based on the extent to which the SABC “blacklisting” controversy was carried and condemned in the South African print and independent broadcast media, it is safe to say that the print and independent broadcast media, academics and civil society attempted to exercise an active ‘self-regulatory’ and policing role of what they perceived as an aberration of journalistic norms.

But although they kept these issues in the public eye, the pressure they mounted against the SABC’s news practices seemed to have little effect on the organisation, as none of these stakeholders have the ability to sanction what they see as misbehaviour.

Also, in the focus on policing these boundaries, the media, were also not readily reflective of their own inconsistent media practices. Of all the commentators, only an outsider to the media, academic Siphon Seepe, called for editors, commentators and the SABC to reflect on their own practices.