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Photo by Paul Greenway

SOUTH AFRICA

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South Africa did not emerge unscathed from the global economic meltdown. Despite the country's prudent banking regulations and tight lending conditions imposed by the National Credit Act, manufacturing declined 22 percent and mining output plunged by 33 percent, leading to the loss of more than one million jobs. With a jobless rate above 25 percent (some estimates put it above 40 percent), unemployment is one of the major challenges to South Africa's economic growth, along with poverty, large wealth disparities, and a high incidence of HIV/AIDS.

However, as the country prepared for the 2010 FIFA World Cup, the economic outlook was brighter and the psychological spirit of the nation was elevated. Amidst the depressed conditions, patriotic flags flew high as South Africans set the stage to host the tournament. Whether there will be a post-World Cup momentum, and whether the South African people will really benefit, is yet to be seen. But at the time of the MSI panel, attitudes were positive.

Simultaneously, the period from May 2009 to May 2010 witnessed political rumblings within and outside the ruling bloc. In a very hotly contested election, a new party, the Congress of the People (Cope), challenged the African National Congress (ANC), the ruling party. Cope draws most of its support from ANC defectors that left the party after forcing then-president Thabo Mbeki from office. In the recent election, Cope came in third, and it threatens to drive wedges into the ruling party. So far, though, Cope has amounted to little, as the new party struggles with paralyzing internal difficulties. The strength of opposition parties is lukewarm across a political terrain where the ruling bloc's power remains essentially unchallenged outside ANC.

While ANC won the 2009 elections, it narrowly lost its two-thirds majority that would allow it to rewrite the constitution. Some believe that this may be a positive development, as it serves to check the ruling party from muscling in legislation that might violate South Africa's democratic system. At the time this report was prepared, the ruling party was attempting to ram through legislation that would threaten the freedom of expression and media freedoms, and the opposition was rising in defense.

Of the five objectives for this year's MSI, Objective 5 (supporting institutions) scored the highest, followed by Objective 4 (business management); both fell within the sustainable category. Objectives 1 (freedom of speech), 2 (professional standards of journalism) and 3 (plurality of news sources) remain a fraction below the sustainability range. Objective 2 (professional journalism) drew the lowest scores, but at 2.88 it is not far from being in the sustainable score category.

SOUTH AFRICA AT A GLANCE

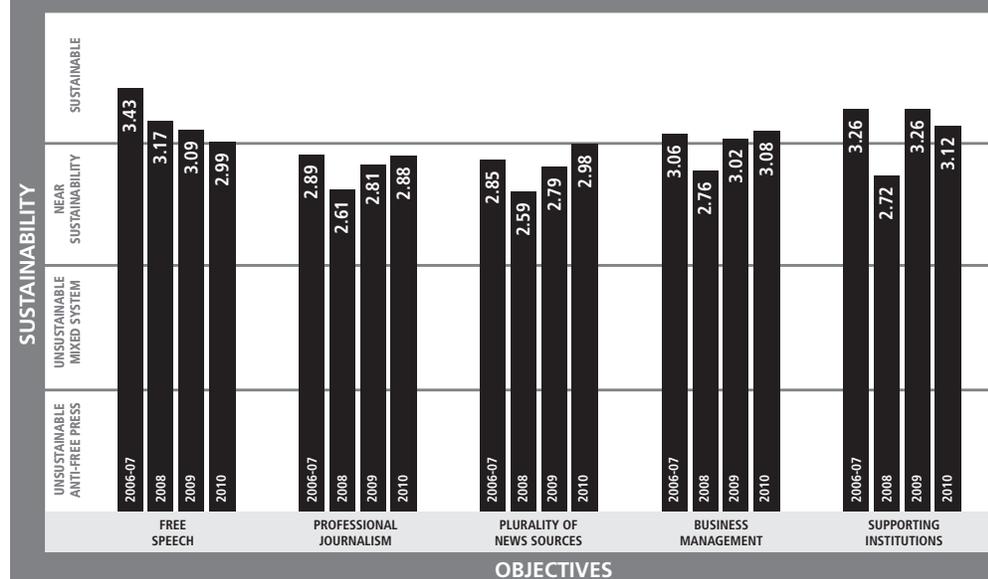
GENERAL

- > **Population:** 49,004,031 (July, 2011 est., *CIA World Factbook*)
- > **Capital cities:** Pretoria (administrative capital), Cape Town (legislative capital), Bloemfontein (judicial capital)
- > **Ethnic groups (% of population):** black African 79.5%, white 9.2%, colored 8.9%, Indian/Asian 2.5% (2001 census, *CIA World Factbook*)
- > **Religions (% of population):** Zion Christian 11.1%, Pentecostal/Charismatic 8.2%, Catholic 7.1%, Methodist 6.8%, Dutch Reformed 6.7%, Anglican 3.8%, Muslim 1.5%, other Christian 36%, other 2.3%, unspecified 1.4%, none 15.1% (2001 census, *CIA World Factbook*)
- > **Languages (% of population):** IsiZulu 23.8%, IsiXhosa 17.6%, Afrikaans 13.3%, Sepedi 9.4%, English 8.2%, Setswana 8.2%, Sesotho 7.9%, Xitsonga 4.4%, other 7.2% (2001 census, *CIA World Factbook*)
- > **GNI (2010-Atlas):** \$304.5 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$10,280 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 86.4% (male: 87%, female: 85.7%) (2003 est., OMD Media Facts 2009)
- > **President or top authority:** President Jacob Zuma (since May 9, 2009)

MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 1000+; Radio Stations: 100+; Television Stations: 50+
- > **Newspaper circulation statistics:** Top three dailies by circulation: *Daily Sun* (508,512), *The Star* (177,899), and *The Sowetan* (143,167), all private. Top three weekly/weekend newspapers: *Sunday Times* (499,033), *Rapport* (318,359) and *Sunday Sun* (209,474) (Audit Bureau of Circulation)
- > **Broadcast ratings:** Top three radio and television channels are all publicly owned. Radio: Ukhozi FM, Umhlobo Wenene FM, and Lesedi FM. Television: SABC 1, SABC 2, SABC 3 (AC Nielsen)
- > **News Agencies:** South African Press Agency (non-governmental), Health-e (private), ASP (private), I-Net (private)
- > **Annual advertising revenue in media sector:** Total: ZAR 20.1 billion, Radio: 13.5%, Print: 39.8%, Television: 37.7%
- > **Internet usage:** 4.42 million (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SOUTH AFRICA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

South Africa Objective Score: 2.99

For Objective 1, indicators 8 (media access and use of foreign and domestic news sources) and 9 (entry into the journalism profession is free and the government imposes no licensing restrictions or special rights for journalists) scored the highest, about three-quarters of a point higher than the objective score. Indicators 2 (media licensing) and 5 (state or public media do not receive preferential legal treatment, and law guarantees editorial independence) scored the lowest, about a half-point and three-quarters of a point lower than the objective, respectively.

Although Section 16 of the South African constitution explicitly affords the right to freedom of expression to the press, and Section 32 enshrines the right to access information (illustrated in the Promotion of Administrative Justice Act), the panelists stressed that these guarantees cannot be taken for granted.

Over the past year, ANC eroded the freedom of expression and media freedom, in spite of the constitutional framework that guarantees an open space in which the media can operate without fear or favor. Several contentious and insidious laws pose a serious threat to media freedoms and undermine democratic principles. The Protection of Information Bill, the Films and Publications Amendment Act, the Superior Courts Bill, and calls for a media tribunal

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

(statutory regulatory body) all vexed media lobbyists and practitioners in the past year.

Critics of the Superior Courts Bill, 13 years in the making, have said that some provisions violate the constitution and threaten judicial independence. In effect, the bill aims to transform administrative aspects of the judiciary, and would limit the right to equality and the right of access to courts. How this transformation will impact other aspects of the judiciary—and ultimately media freedom—remains to be seen.

The panelists expressed concern that the Film and Publications Amendment Bill, passed in September 2009, has the potential to impinge on media freedom by allowing for pre-publication censorship of certain materials. The bill mandates that the Film and Publications Board (FPAB) review publications, films, and games for content that is sexual in nature, violates human dignity, incites people to cause harm, or displays hatred towards a group. Publishers that the press ombudsman does not recognize, along with film and game distributors, are required to submit their media productions to the board. The panelists said that they see room for the law to be abused by the authorities. “The amendment act constitutes a grave intrusion of the right to freedom of expression [and]... offends against the letter and spirit of the Constitution of the Republic of South Africa,” one panelist said.

Jude Mathurine, Rhodes University lecturer on new media and deputy new media editor of *Grocotts Mail*, raised another red flag. “Individuals who practice free expression using any tools, including mobile phones, blogs, or other platforms, are not protected,” she said. Additionally, Mike Maxwell, a lecturer for the Centre for Communication, Media and Society at the University of KwaZulu-Natal, said the signing into law of the Film and Publications Amendment Bill encourages self-censorship.

Franklin Huizies, CEO of the National Community Radio Forum (NCRF), a member-based association for community radio broadcasters, raised concerns about the Public Service Broadcast Bill. The bill defines the relationship between the broadcast community media and government. Municipalities have to be co-opted onto boards, for example, and for Huizies, this policy creates many problems. Explaining how the bill is susceptible to abuse, Huizies said, “Some stations have suffered from the withdrawal of municipality business. These stations were selling airtime to the municipality, and they canceled that support because they objected to statements made by the station.”

While government does not block electronic services such as VOIP, it is considering blocking pornography on Internet and mobile devices. The Home Affairs department directed the Law Reform Commission to explore new legislation in

this regard. While government does not yet regulate mobile Internet, Mathurine noted that an unregulated mobile web market has resulted in limitations in what the country's 9.6 million mobile web users access and use. The factors involved are the price of handsets, mobile web literacy, content provision, and high costs of mobile Internet access.

While media freedom and access to information exist, typically media members and citizens resort to the judiciary to assert these rights. The Protection of Information Bill, introduced in parliament in 2008 by the former minister for intelligence, Ronnie Kasrils, never passed. But the bill, sometimes referred to as the State Secrecy Bill, has returned, igniting fear among the media community, opposition parties, businesses, and other sectors of society. They are concerned that the bill's passage might lead to censorship of political expression, undermine the activities of investigative journalists, and criminalize the publication of information on matters of public interest.

Dario Milo, a media legal expert and visiting associate professor at Wits University, wrote a paper outlining some of the bill's fundamental flaws: the use of overly broad definitions of national interest, security, national security and state security; how it classifies commercial information; and its authorization of the classification of information as "top secret," "secret," and "confidential" on the basis of speculative harm. Milo warned that the low thresholds for classification and the broad definitions mean that information that should be made public will be censored "on pain of criminal offense." Disclosing classified information and failing to report possession of information carry heavy penalties: a three to five year jail sentence. Accessing classified information and disclosing state security matters prejudicial to the state are offenses that carry a minimum of five and a maximum of 10 years.

Jayshree Pather, an independent journalist and board member of ABC Ulwazi (an NGO focused on community radio training) said the act will have huge implications for journalists and is a threat to media freedom. Louis Marsland, editor-in-chief of *Advantage*, noted: "If this [MSI] research was conducted several months ago, this indicator/section would have scored higher—however, the scoring is lower [amid this threatening legislation] and signals a downward trend, as the media increasingly come under attack. The Protection of Information Bill is designed to muzzle the media and gag anyone from providing information that should be in the public domain. Our hope is that our legal fundamentals are in place."

Mike Aldridge, a Cape Town TV (CTV) producer, agreed that the bill would be highly detrimental. CTV is a non-profit, community-based television station serving the Cape Town metropolitan area. Founded by more than 200 non-profit

organizations in 2006, CTV is committed to providing community access to television as a tool to promote human rights, social justice, and community cultural development.

In terms of media licensing, the panelists said that licensing for broadcast media is fair, competitive, and apolitical on the whole. The broadcast regulator, The Independent Communications Authority of South Africa (ICASA), operates apart from the government theoretically, although it falls under the jurisdiction of the Department of Communications. The regulatory body for the IT and telecommunications industry, ICASA is tasked with the licensing of network operators, radio broadcasters, television channels, and related service providers within the sector. ICASA also investigates and adjudicates on complaints internally (between licensees) and externally (from members of the public against licensees).

Although the panelists expressed the belief that licensing procedures are fair, they had various complaints about ICASA's shortcomings. Some panelists raised the possibility of bias towards Black empowerment. Aldridge said that ICASA council members are nominated publicly, although final appointments are made by government officials and might be subject to political bias. Panelists also expressed concern at the continuing erosion of ICASA's independent status as a regulator between the government and the broadcast media industry. According to the panelists, ICASA barely functions as an institution, lacking operational and monitoring capacity.

Media Monitoring Project (MMP) Director William Bird summed up the general view of respondents: "ICASA is a shell of an institution...only big media voices prevail at that institution. Corporations determine policy and regulations. ICASA is basically there to rubber stamp the ideas and interests of the largest media groups...it cannot even monitor the South African Broadcasting Corporation [SABC]. ICASA is powerless; it cannot fulfill one of its basic functional roles. The Department of Communication's apparent intent to undermine it is very frightening, because it undermines our constitution and threatens fair licensing processes in the future."

Huizies remarked that ICASA proved unable to monitor the country's more than 100 community media broadcasters, and as a result, it faced compliance challenges among community media outlets. ICASA also failed to license local mobile television prior to the 2010 Soccer World Cup, and precluded the most viable provider candidates from participating on weak technical grounds, said Mathurine.

Regarding the ease of market entry, panelists said that the requirements for starting a small to medium micro-enterprise (SMME) media outlet—such as a small-town newspaper—are simple and straightforward, with no barriers. Companies need only complete a registration process according to terms

stipulated in the Companies Act. The greater issue is the ability for smaller players to survive against the economic and political might of the media conglomerates that dominate the industry. Therefore, the panelists expressed the belief that there should be tax breaks to encourage growth of community media.

Crimes against journalists or media outlets are rare, and when they do occur, they elicit public outcry and are prosecuted vigorously. The state's decision to prosecute eTV journalists, for example, generated considerable controversy. The journalists refused to reveal their sources for a story in which interviewees threatened criminal actions against tourists during the 2010 World Cup, but ultimately the prosecutor's case was defeated in court.

Indicator 5, regarding preferential legal treatment for public media, drew much debate and exasperation. Panelists agreed that the state of the public broadcaster, SABC, is dismal. While ostensibly the law guarantees the independence of public media, panelists said that the government's appointment of board members and senior employees compromises this independence. Parliament institutes the board appointments, and the ruling party ensures that its cadres are deployed to the SABC board. Aldridge commented, "For example, the ANC Youth League is represented on the board, while other political movements are not. The dominance of ANC ideology manifests throughout the organization in its commissioning philosophy and procedures."

Media Monitoring Project Director William Bird added that the Public Service Broadcasting Bill, if implemented in current form, would destroy the institution. "We can kiss the public broadcaster goodbye, and then [this indicator] would literally score a zero," he said. "The ongoing efforts to undermine SABC's credibility, through overt and covert political interference, have brought the situation to a precipice where its status as a public broadcaster is at stake. It will be a state broadcaster."

According to an executive producer at SABC, self-censorship is already at play. "Although our law guarantees freedom of speech, journalists at the public broadcaster are often instructed by their editors to run certain stories, to exclude others, or to alter the wording on stories." She added that the saga surrounding the appointment of SABC Head of News, Phil Molefe, is a case in point. "We were instructed not to run the story until we got orders from above. Some government officials are the chief violators of the media's right to decide on stories. It is ironic that the present-day government fought so hard for media freedom and other rights, but they are now the ones violating these rights. On the other hand, the journalists and editors, wanting to please and to be in the government or the ruling party's good books, are happy to toe the line and often practice self-censorship," she commented.

In South Africa, libel is a civil law issue, derived from British law. Parties must prove falsehood and malice. The panelists said that generally, the population is less litigious than, for example, the United States, and this law is not tested as often. If the journalist is acting as an agent for the publication in the normal course of employment, then the editor and publisher are liable. However, the ruling party's use of this law against the media is a worrying trend.

Freedom House's *Countries at the Crossroads 2010* report documents the ANC's increasing sensitivity to media criticism, including a 2008 defamation lawsuit launched by then-ANC president Jacob Zuma. The lawsuit was prompted by a political cartoon that depicted Zuma unbuckling his belt in front of a woman being constrained by ANC colleagues. A banner across the woman's body suggests she is a symbol of the judicial system, with the implication being that Zuma and other ANC leaders are "raping" that system. The cartoon came after Zuma was accused of rape in 2005 and went to trial on rape charges in 2006. (The Johannesburg High Court sided with Zuma's claims that the sex act was consensual, and dismissed the charges.) Zuma, now president of South Africa, pressed charges against the cartoonist, the paper that printed the piece, and the paper's holding company in the \$700,000 lawsuit. Zuma ended up filing a raft of other defamation suits, more than a dozen, against several media outlets that covered the 2006 trial.

In another case, the Gauteng-based *Sowetan* newspaper is defending a ZAR 20,000 (\$2,600) defamation claim brought by police boss General Bheki Cele. The case pertains to the paper's June 2007 use of a digitally manipulated image of the tough-talking Cele carrying a rifle, depicting him as a strong crime fighter, taking the battle to criminals. At the time, Cele was the Kwa-Zulu Natal member of the executive council for transport and community safety. Cele complained that *Sowetan* published the image without his permission, and claimed that the image is injurious to his privacy, insults his integrity, portrays him as "a man of arms," and degrades his physical image. He also objected to an article about him urging police to "aim for the head" when criminals pull their guns on the police, and another article linking his remarks to the police's subsequent killing of eight suspects. *Sowetan* spokespersons have rejected the notion that the media should seek the approval of people about whom they write before publishing images that the subjects might deem unflattering. Media observers await the outcome of this matter eagerly.

Regarding access to information, the Promotion of Access to Information Act 2 of 2000 (PAIA) provides the framework and procedures to exercise the constitutional right to information. Given that the constitution protects human rights, the South African Human Rights Commission (SAHRC) plays a key role in the implementation of PAIA. Furthermore, SAHRC functions

as a Chapter 9 institution—a statutory body supporting constitutional democracy and facilitating the enforcement of protected rights in cases involving putative infringement.

Panelists said government departments, spokespersons, and civil servants see their roles as regulators of information access, rather than facilitators of access to public information. Huizies added that community radio stations face many obstacles in accessing information from local government. “The municipalities make it very hard, and these radio stations do not have the money to take legal action, so most of those cases are just shelved,” he said.

Mathurine said that the worrying use of the courts to clarify and enforce such rights, typically by large media organizations campaigning to access information in the public interest, does not bode well for ordinary citizens and civil society groups that may not be as knowledgeable or have the financial resources to do the same.

At the same time, panelists said that *Mail & Guardian* deserves special praise for using the courts to enforce rights under PAIA, in the constitutional court judgment *Brümmer v. Minister for Social Development and Others*. *Mail & Guardian* had two other recent wins: one regarding the FIFA Local Organizing Committees’ denial of access to tender documents, and one regarding access to the South African election observers’ report on the 2002 Zimbabwe election.

Panelist said that journalists face no major restrictions accessing international news sources, aside from the inadequate Internet infrastructure. The high cost of Internet access has resulted in local newsrooms instituting bandwidth caps for staff, and banning access to certain bandwidth-heavy social media websites. International news is available through the multitude of Internet channels as well as on satellite television (exclusively DSTV until May 2010). Cost is the major factor affecting equal access to international news.

South Africa does not have a licensing regime for journalists. Journalists can form unions or professional organizations to protect their rights, as the March launch of the Professional Journalists’ Association of South Africa (ProJourn) suggests. Given the potential of new media, enforcing legislation to register journalists would be impractical and difficult, as a new generation of citizen reporters increasingly enjoys media freedom, Mathurine said.

In conclusion, the South African constitution ensures that the fundamentals of a free press are guaranteed. Panelists said that the legal protective framework is intact and that the country has an independent judiciary. Participants would have given higher scores but for the “draconian” legislation on the cards and talks about the media appeals tribunal—which suggest that the freedoms cannot be taken for granted, and that threats against media freedom need to be fought.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

South Africa Objective Score: 2.88

In Objective 2, all indicators scored close the objective score; in fact, none scored more than a quarter point higher or lower.

Participants said that for the most part, reporting is fair—although the quality varies, and some reports are not well sourced. Still, they said that the standard of journalism in South Africa is acceptable, with none of the blatant propaganda that characterized media earlier, particularly under apartheid. Bias and lack of professionalism tend to be seen at the level of smaller media outlets, such as commercial community media, which do not attract high-caliber journalists.

The Press Code of Professional Practice, established by the print media industry, captures the most basic and universal principles for journalists: “to report news truthfully, accurately, and fairly; and to present news in context and in a balanced manner, without an intentional or negligent departure from the facts.” This code is in line with other international codes. On the broadcast media side, the panelists mentioned that the National Community Radio Forum (NCRF) does not have a code for community radio journalists, but it does have an institutional charter that serves as a guide.

Panelists flagged several concerns regarding ethical reporting, and said that the score would be lower if coverage of gender, children’s, and human rights issues were taken into account. Panelists said that increasingly, the shift to new media platforms requires greater awareness of policy

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

factors pertaining to real-time and social media publications. Yet news organizations have not updated their policies to consider social or multimedia practices. Although general principles and values of ethical journalism are applicable to any media platform, the panelists called for guidelines specific to the terrain of multimedia and social media.

Gifts or “freebies” are found in certain niches, e.g. travel journalism, and in some cases, journalists have been accused of taking bribes. But the panelists said that overall, instances of journalists breaching ethical codes are rare, and the profession frowns upon such practices.

Panelists concurred that media outlets appeal to specific audiences and rely on the patronage of powerful political and business interests, so some degree of self-censorship will always be prevalent—particularly at outlets with no strong ethic or tradition of speaking out against such practices.

In terms of covering key events and issues, journalists tend to report on events rather than topics. Coverage is often urban-centric. Furthermore, polar voices on the left and the right do not receive air time, except when there are incidents to cover. Mauthurine observed, “We are failing in language when it comes to print. Journalistic coverage of key events received an average mark, because the public broadcaster, despite its broad geographic scope, still covers mainly the metropolitan areas or provincial capitals and economic centers. This often means that only certain kinds of news tends to emerge from rural areas—often related to crime or corruption,” he said.

Journalists, on average, are not well paid. Salary scales vary regionally and reflect gender inequities. In its 2009 “Glass Ceiling” study, the NGO Gender Links pointed to package and contractual differences between men and women. Men secure better contracts and earn more; on average, women earn about ZAR 220,000 (\$26,000) per annum, while their male counterparts earn ZAR 260,000 (\$31,000).

The South Africa Writers’ College (www.sawriterscollege.co.za) reported on pay differences in the period 2007 through 2008, noting that on average, junior journalists earn a starting salary of ZAR 5,000 per month (\$702), or as much as ZAR 8,000 (\$1,122). As they move up the ranks, the salary might increase to ZAR 8,000 to ZAR 16,000 per month (\$1,122 to \$2,244). While starting salaries are low, more senior positions (such as news editing; senior reporting; and specialist beats such as politics, business, or property) command higher salaries. A managing editor, or even the editor-in-chief of a major-city publishing house, may command a monthly income of more than ZAR 35,000 to ZAR 40,000 (\$4,908 to \$5,609). However, most journalists occupy the middle to lower levels and never see such high salaries. This explains the outflow of journalists to other fields, such as corporate public relations and government communications.

According to the panelists, certain media outlets sell editorial space to businesses, but the incidence of individual corruption is low. Panelists referred to the reactions to the recent exposé of two Cape Argus senior journalists accepting payment in exchange for favorably portraying a political figure, raising questions of professionalism and credibility. Journalists widely and publically condemned these incidents, Jayshree noted.

All respondents agreed with Maxwell’s view that pay levels for most journalists have failed to keep pace with inflation, and remuneration for investigative journalists in particular is insufficient—leading to minimal coverage of controversial news. Investigative reporting consumes time and resources, and many budget-conscious publishers consider it dispensable. Maxwell added that often, consumers must seek out specialist publications to access solid investigative reporting. But those publications have limited circulations and remain inaccessible for the majority.

According to the panelists, ICASA licensing conditions for broadcasters include airtime quotas to ensure a balance between entertainment, current affairs, education, and social issues. However, television entertainment programming tends to overwhelm factual reporting such as news and documentary programs. Aldridge said that the disparity “is felt most acutely in the programming choices of the public broadcaster, which prioritizes entertainment at the expense of other genres.”

Dedicated news channels are available only through subscription channels and within the overall programming mix of community television channels. CTV is probably the only channel in the country that prioritizes documentary programming, outside of dedicated documentary channels in pay-television packages.

Respondents agreed that the problem of heavy focus on entertainment is less acute in print media. They also agreed that the lack of hard news impacts negatively on the population’s capacity to make informed political choices and decisions. Panelists said that although SABC runs excellent documentaries, they tend to air at inaccessible times—while “soapsies” prevail during prime time.

According to Huizies, cost is major factor in programming choices. “At the community radio level, news and current affairs content is more expensive to produce, and thus stations lean toward entertainment because it is easier... although I think that there are positive examples, such as Radio Riverside in Uppington, which has been able to forge partnerships to produce quality content at less expense,” he said. He explained further that Radio Riverside identified local NGOs working on development projects within their community and then partnered with these organizations. The NGOs also provided the station with content on health,

youth, and other issues. Bush Radio, he added, is another good example—the station enlisted journalism students as reporters, giving them the opportunity to develop local news with sound bites from local townships.

Huizies also pointed to the absence of data or scientific research on the current state of the community radio sector. Although ICASA has been regulating the sector, the weakness of the authority's monitoring has created a dearth of statistical information.

Facilities and equipment are on par with the best in the world. Digital distribution ensures a wide footprint for most broadcast media, although access to digital content favors the urban and the rich. The same applies for print. Panelist underlined positive growth in this regard for community television, but said that community radio lacks the ongoing capital investment to upgrade studios.

South Africa has a plethora of niche media, and some excellent niche reporting, both in print and broadcast. Print media outlets conduct the majority of investigative reporting, and specialist financial/economic reporting is available in most papers.

All four commercial print media organizations have reinstituted internship or cadet programs for in-house training. *Mail & Guardian* established a donor-funded investigative unit, and *Daily Dispatch* set up a civic journalism team. These initiatives signal that news organizations are refocusing their efforts on niche skills considered important for the support of democracy and development. Also, the major media houses are now conducting mentorship programs and internal media training classes.

Notwithstanding these positive examples, Mathurine criticized the Sectoral Education and Training Authority, responsible for media workplace training, for corruption and mismanagement. This has negatively influenced the capacity of most media workplaces to improve and upgrade their skills and capacity, he said.

In conclusion, while pockets of excellence exist, the media sector still has huge gaps with regard to particular specializations. Less glamorous topics (poverty, HIV/AIDS, health, and education) tend to get sidelined at an editorial level.

OBJECTIVE 3: PLURALITY OF NEWS

South Africa Objective Score: 2.98

In Objective 3, most indicators scored close to the objective score. Indicator 2 (citizens' access to domestic or international media is not restricted) was the highest-scoring indicator, coming in slightly more than half a point higher than the objective. Indicator 3 (state or public media reflect the

views of the political spectrum, are non-partisan, and serve the public interest) scored the lowest, more than half a point behind.

Clearly, the media sector has a plurality of public and private news sources (e.g. print, broadcast, Internet), and there are affordable options. The country has many national and regional newspapers as well as local and community newspapers; a wide variety of magazines; national, regional and community radio stations; and community television stations. But despite this diversity of sources, many outlets have limited circulations and some are relatively expensive, the panelists noted.

The Media Development and Diversity Agency (MDDA) reports that South Africa's 100-plus community radio stations account for less than 5 percent of the total radio audience, while 13 commercial stations account for 16.5 percent. SABC controls slightly more than 40 percent of radio audiences, and nearly 70 percent of television audiences with its three terrestrial television channels: (SABC 1, 2, and 3). eTV, a privately owned, free-to-air commercial terrestrial channel, has more than 18 million viewers and represents more than 22 percent of the viewing population.

National Radio is broadcast and received widely, and community radio has found a growing audience despite poor economics, which hamper sustainability. Still, rural areas tend to get the short end of the stick, panelist said. "Populations in metropolitan areas, where more elite audiences live, generally have access to a range of much wider, free-to-air radio and television stations, as well as free print media materials and hyper-local websites representing certain areas. For an example of the latter, see Avusa's MyParks project,

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

which is run exclusively in affluent (formerly white) suburbs of Rosebank, Parktown, Sandton, Northcliff," Mathurine said.

Mathurine also commented on the increase of new media and alternative news sources. "It is unclear to what degree South Africa's 5,000 or so active blogs provide an alternative source of news and information. Given race, gender, and class dynamics of the South African digital divide, platforms such as blogs, social networks, and social media often replicate mainstream commercial media agendas or themes, leading to a replication of interests and voices of commercial media. The same applies to some community media that lack resources for general community or regional reporting. Tabloids increasingly provide an important source of news for the general populace, regardless of some retrograde human rights practices."

Citizen access to domestic or international media is not restricted or subject to legal impediments, but it is costly. Access to shortwave radio, satellite radio, Internet, and satellite television often depends on income. To access international information, people need to have satellite television, subscription television service, or Internet television. Competition in the satellite television market (three years after licenses were first granted) does have the potential to lower costs, but this is yet to be realized. Most people do not receive their information from shortwave radio.

Low Internet penetration, felt most keenly in rural areas, is a limitation. Overall penetration is just over 10 percent and broadband access around 2 percent. Internet costs are relatively expensive compared to the developed world; consequently, Internet is only accessible to the wealthy minority and the predominantly urban populace. This scenario could change, though, with increased web access via cell phones, as cellular penetration is very high. The incidence of pay television is relatively low, with the main subscription channel having a subscriber base of around two million. However, increased competition from a new contender is bringing prices down, and the emerging community television sector is gaining a firm foothold.

"Wired Internet access stands at between five to six million, although this number may go up to nearly 10 million, or 19 percent of the population, if mobile Internet methods are included, such as mobile web, WAP gateway and other applications," Mathurine said. "Even here, the top websites used by South Africans are generally international service and social media websites such as Google, YouTube, and Facebook."

Indicator 3 drew heated responses, with panelists criticizing the public broadcaster (PBS) as partisan politically. The panelists said that PBS has failed in its mandate to

provide independent and unbiased coverage of news and current affairs. Views of opposition political parties, civil society groups, rural dwellers, and trade unions are underrepresented in comparison to coverage of issues and personalities related to the dominant party. Extreme poles of political and economic views are seldom represented.

Aldridge said that the public broadcaster has been compromised severely by the deployment of ANC cadres to key positions—an illegal procedure that does not inspire confidence in its impartiality, he noted. Mathurine concurred, describing a recent event as an example: "The newly appointed board chair behaved inappropriately by pre-empting a decision on selecting the head of news, and claims to have confirmed the appropriateness of the candidate with the office of the presidency."

The South African media have access to a range of independent news agencies, including the main agency, the South Africa Press Association (SAPA), as well as I-net Bridge, Eye News Service, SACSIS, East Cape News Agency, Touchline, Health E-News Agency, Mpumalanga African Eye, Gender Links, and Sangonet. International agencies such as Reuters and Associated Press are also available.

Broadcast media do produce their own news, although some media, including certain television channels, purchase items from international news agencies to complement their own local coverage. Local and community radio and television stations also produce their own news bulletins and reports. BUA, the government news agency, provides free content—but tends to toe the official line.

Media ownership in South Africa is transparent, but the big four newspaper organizations (Avusa Publishing, Naspers, Independent Newspapers Group, and Caxton) own the bulk of print media. Naspers, through its subsidiary Media 24, is the largest media company.

New Age, a daily planned to start production in September 2010, is partly foreign-owned. The Times of India Group has a stake in the business. The Gupta Group, the family that manages Sahara Computers Ltd., controls the newspaper. *New Age* will compete with at least five large daily newspapers in the country's major cities, including the Independent News & Media PLC publication *Star* in Johannesburg. The new publication is viewed in some quarters as the ruling party's mouthpiece. Others say that the new entrant poses a challenge to the monopolistic control of the mainstream press, with its hegemonic culture.

Despite the plurality seen in the sector, the panelists concluded that print media is not diverse, and indigenous language publications are rare—but said that radio is much more inclusive. Citizens have only stunted access to complimentary and dissenting views. Poverty, development

issues (particularly among rural populations), unemployment, landlessness, homelessness, lack of basic services, HIV/AIDS, food insecurity, and gender issues are all examples of underrepresented issues in the mainstream media. Also, other than a few community services and SABC, there are no commercial channels that cater to indigenous languages. Indigenous-language newspapers are rare, and indigenous-language news and information sites and blogs are non-existent. In 2008, 24.com conducted the South Africa Blog Survey, with 688 respondents. According to its findings, only 3 percent of respondents blog in local indigenous languages.

OBJECTIVE 4: BUSINESS MANAGEMENT

South Africa Objective Score: 3.08

Objective 4 showed very little change from last year; all indicators scored close to the objective score.

The private media sector in South Africa is robust and healthy in business terms, although some panelists argued that managers tend to be fixated detrimentally on traditional models. The past year has been characterized by downsizing, retrenchments, and staff consolidation; for example, there is now just one national sub-editors room in the Independent Newspapers group. Similarly, *Media 24 Afrikaans* papers consolidated its sub-editors. The implication, apart from job losses, is that syndicated copy is used increasingly to cover news outside of the major metropolitan areas. Potentially, this could negatively impact the quality and diversity of news content, and indicate a narrowing towards the urban, desirable markets, especially in the commercial newspaper market.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Community media tend to struggle to survive without robust state or institutionalized support, and according to Aldridge, a number of community radio stations have closed for financial reasons.

Financial struggles are apparent on the print media side as well. Circulation of many newspapers and consumer magazines fell by as much as 10 percent in the first quarter of 2009, according to the international research group Audit Bureau of Circulations (ABC). In the third quarter of 2009, only niche and tabloid titles—*Die Son*, *Isolezwe*, and *Post Natal*—maintained or increased circulation. *City Press*, *Sunday Independent*, *Cape Times*, and *Mail & Guardian* newspapers were redesigned in an attempt to attract readers. At Avusa, *Daily Dispatch* conducted a retrenchment at the beginning of 2009. *Business Day* and *Financial Mail* both retrenched staff, and Avusa shut its loss-generating *Weekender* newspaper. Avusa also retrenched staff in its African media ventures. At the year's end, Naspers started voluntary retrenchments at its Afrikaans titles. Naspers also closed its women's magazine, *Femina*, and its once-celebrated Kenyan magazine division, as Mathurine pointed out.

In the new media terrain, Telkom Media did not capitalize on its pay TV license—a failed bid that led to an estimated loss of ZAR 700 million (\$101.8 million). The Chinese Shenzhen group now has a 75 percent majority shareholding. Shenzhen established a new entity called Super5 media, which plans to produce satellite and IPTV. However, this acquisition has raised serious questions about international shareholding in local broadcast companies.

According to the panelists, SABC has been particularly disappointing in its financial management, having incurred massive debt and requiring a correspondingly large-scale government bailout. It reported losses amounting to ZAR 800 million (\$116.3 million) in 2009. This resulted in SABC closing some of its newly opened international bureaus. Subsequently, SABC received a ZAR 1 billion (\$145.6 million) bail-out from the government, with a further ZAR 500 million (\$72.8 million) forthcoming. *Sunday Independent* reported severe cuts to SABC's newsroom budget.

SABC's heavy reliance on commercial revenue impacts the variety of programming that it airs. SABC derives 85 to 87 percent of its revenues from commercial sales, 13 percent from license fees, and the remaining two percent from direct government grants.

Online advertising continues to grow by 27 to 30 percent a year; it now reaches about ZAR 319 million (\$46.4 million). Mathurine said that with the rise of online and mobile media consumption, a handful of entrepreneurs have stepped up to produce viable web-only platforms, including Duncan McCleod's TechCentral, Matt Buckland's Memeburn, and Branko Brkic.

The need to diversify profit streams has also seen the drive to paywalls on newspaper websites. Other than *The*

Independent's regional titles, *Natal Witness* became the first to limit access to its local content, and *Daily Dispatch* and *Mail & Guardian*, apparently, are likely to follow suit. Their creation of walled gardens eliminates space for free audience participation and dialogue on topical matters of local interest, among others.

Commercial media draw income from a variety of sources, including shareholders, advertising revenue, sales, and subscriptions. Broadcasting garners its income from license fees, advertising, and other marketing initiatives. Advertising agencies are actively employed.

Community media lack adequate, consistent funding, and often large advertisers ignore them. The community television sector is only now seeing increased support after more than a decade of neglect and marginalization, Aldridge remarked. "The government has plans to introduce a Public Service Broadcasting Fund that would support both the public service and community broadcasters. It remains to be seen how effective this might be. Sources of revenue definitely affect editorial decision-making across sectors. Commercial media always keep their markets in mind, while public and community media have to please their funders," he said. This view was shared by other respondents.

At a two-day community media conference, held toward the end of 2009, Bizcommunity reported on the challenges facing most of the country's community newspapers, television, and radio stations, which are seriously under-funded and under-equipped; lacking vision, expertise, and professionalism; and are structured weakly. Because of the lack of resources, community media are "bullied" by corporate powers, which leaves them in a poorer position when vying for quality programming. Huizies said that non-compliance with regulatory requirements is another general problem.

According to Media Online, ICASA mandates community radio stations to focus on local content and to ensure community access, particularly by poor and marginalized groups. But they must also compete with public and commercial broadcasters in attracting the advertising spend, and they have to make use of new technologies to improve radio programming and operations. Some stations now use digital production, satellites for program distribution, and the Internet for information sourcing. The panelists said that is imperative for community media to keep looking at innovative, sustainable business models if they are going to survive and offer quality programming.

The advertising industry in South Africa is sophisticated and well-tuned to local marketing nuances. Many agencies are linked to international offices, but a substantial number are wholly South African. Even though community media

struggle for access to revenue, advertisers tend to support mainstream media.

In the print sector, urban areas generate sufficient advertising revenue. There is some evidence to suggest that the Internet is causing some fall in media advertising, though, affecting the pricing structure and quantity.

MDDA, set up by the parliament in 2002 to enable "historically disadvantaged communities and persons not adequately served by the media" to gain access to the media, funds some private and community media organizations. MDDA provides start-up capital for community outlets and pays for staff training using funding from government and industry sources. Other than through MDDA, the state does not subsidize independent media.

The large media houses conduct market research frequently to position themselves in terms of programming and revenue generation. The South African Advertising Research Foundation (SAARF) conducts sophisticated market research surveys, while ABC collects circulation figures. All Media Products Survey (AMPS) is a measurement tool that SAARF uses to supply the media industry with audience measurement figures. This is an independent survey outsourced by SAARF to AC Nielsen, and is believed to adhere to high international standards. Aldridge pointed out that economies of scale and the costs associated with measurement mean that the main ratings agency, SAARF, does not measure local audiences in remote areas, while community radio stations complain that even in urban areas, their small audiences are not measured accurately.

Panelists agreed that the measurement of the Internet sector is highly problematic, and more so when mobile Internet is factored in. Data collection for Internet usage and access, including mobile Internet, is inconsistent and often based on flawed assumptions, such as SIM card sales. The Online Publishers' Association and SAARF both use different methods and indicators to determine the size of the wired online population. Mathurine pointed out previously that the inclusion of the wireless mobile population would almost double the figure for Internet users. A big problem in media management, particularly in the new media terrain, is the measurement of mobile media users due to the lack of clear aggregated data from cell phone companies such as Vodacom, MTN, Cell, and Virgin. This results in marketers and media managers relying on estimates instead.

Furthermore, the arrival of competition in the Pay TV market between DSTV and new entrant TopTV has created a price war, with increased segmentation of satellite television packages. TopTV still has to demonstrate its long-term sustainability, the panelists said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

South Africa Objective Score: 3.12

This objective received the highest score of the five objectives. All indicators scored similarly well, and none received a score more than half a point lower or higher.

South Africa has a number of trade associations that safeguard the interests of media owners and provide member services. These include South African National Editors Forum (SANEF) and NCRF. Print Media South Africa (PMSA) serves as an umbrella body to constituent members: the Newspaper Association of South Africa, the Magazine Publishers Association of South Africa (MPASA), and the Association of Independent Publishers (AIP). Combined, PMSA represents more than 700 newspaper and magazine titles. The country also has organizations designed to serve the interests of new media organizations; they include Internet Service Providers' Association, Wireless Application Service Providers' Association, the Website Association of South Africa, and Online Publishers' Association. Community media are well represented by four organizations.

SANEF is a professional organization for editors and senior journalists, and Media Institute of Southern Africa (MISA) has an operational South African chapter as well. Other organizations are the Forum of Black Journalists, which was revived in early 2008; and the Association of Independent Publishers. The panelists explained that the South African Union of Journalists is now defunct. Unions such as the Communications Workers Union (CWU) do not represent journalists specifically. The Media Workers' Association of South Africa and the Broadcast & Electronic Media Allied

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Workers' Union represent the rights of media workers. Other NGOs are concerned with various aspects of freedom of speech and journalistic standards, but these are not professional membership associations.

According to Maxwell, a number of organizations, such as CWU, indirectly reflect the concerns of journalists or segments of the profession. The infant ProJourn, established in March 2010, has yet to show any meaningful impact. However, Marsland considers ProJourn a much-needed forum to ensure that journalist rights are protected and to facilitate the tabling of relevant issues. ProJourn resulted from extensive consultations, running over two years, in the journalism community.

The Forum for Black Journalists, established in early 2008, grabbed media attention and stirred some controversy because of its racial representation. According to the panelists, its impact has yet to be measured.

South Africa has a plethora of NGOs in place to check state power and generally offer a forum to debate issues affecting the freedom of speech regionally and nationally. NGOs supporting media interests include MISA, the Freedom of Expression Institute (FXI), MMP, and Gender Links. FXI, MMP, and the Media Advocacy Project lobby to protect media freedom. "Free Our SABC" is an NGO coalition that acts as a lobbying group, responding when the public broadcaster undermines the freedom of speech.

One shortcoming of the NGO community is that it is concentrated in urban locations, so rural representation is very limited. Funding is frequently an issue as well, but the panelists said that overall, NGOs still manage to operate effectively.

Panelists estimated that about 15 journalism courses are taught at the tertiary level in South Africa. Panelists noted, though, that while a number of tertiary educational institutions provide journalism training, their programs vary in quality and standards. All include practical components in their courses, and facilitate internship placements at media institutions. However, shrinking staff levels and the increasing need to rely on junior staff are growing resultant problems for the media, particularly in the newspaper sector. The shortfalls also limit the effectiveness of internships for aspiring journalists. Aldridge added that few opportunities exist for internships in broadcast organizations, particularly in television, although this may change as the community television sector grows.

Bird questioned the sustainability of some programs, noting a tendency to teach theory rather than craft. Maxwell agreed, and suggested this trend may have emerged because it better suits academic schedules. Practical training, he noted, is labor

intensive, time consuming, and poses a challenge for the large class sizes that universities prefer to maintain.

South African journalism students tend to study at home for a while, then head overseas to gain practical experience.

A number of organizations sponsor classes and short-term training opportunities in the different journalism disciplines, mainly offered in the major cities. For example, the Institute for the Advancement of Journalism offers short-term courses focusing on a variety of journalism skills. Outside the major centers, organizations such as the Sol Plaatje Institute for Media Leadership offer training, including in-house sessions, to media organizations.

Maxwell underlined problems with the process of accrediting short-term course and their structure. The difficulty of keeping pace with the dynamics of rapidly developing, swiftly changing technology presents specific challenges.

Newsprint and printing sources are owned privately, apolitical, and unrestricted. However, large companies monopolize distribution, and panelists claimed that small newspapers get the short end of the stick, frequently taking second place on distribution routes. Furthermore, news printing production is limited primarily to the area around the capital. Newspaper production is an expensive business, hence smaller outfits would face financial barriers because of the ownership and the distribution issues linked to a monopolistic environment. Market forces prevail in this sector, though; the government does not interfere.

While most print media are owned privately, broadcast media are substantially state-owned (although the country has a number of private broadcasters). Control of broadband and its pricing is restrictive, panelists opined. The public sector maintains full control of the various features of the national communications economy. For example, the regulator is ICASA, while broadcasting and transmitters fall under Sentec, and Telkom dictates the broadband monopoly. All the aforementioned institutions and organizations are state-funded or parastatal organizations.

Signal distribution facilities are in private and state hands. The signal distributor Orbicom transmits the main private (pay) television channels, while the state is the only shareholder of Sentec, which transmits SABC, eTV, community television channels, and community radio. Panelists said that Sentec has not been managed well of late and carries a heavy debt, which has led to the resignation of the CEO and the institution of a new board of directors. Community broadcasters complain that Sentec charges them commercial rates, with no rebate or differential tariff structure based on their non-profit nature. ICASA has not carried out a tariff

review in this regard. These issues impact negatively on the sustainability of the community media sector in particular.

In conclusion, panelists said supporting institutions do function in the interests of a professional media. The NGO and media lobbying groups are critical and spearhead media freedom agendas. The panelists called for a re-examination of training to meet the needs of a changing media landscape, and greater cognizance of technological trends.

List of Panel Participants

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