

The South African Broadcasting Corporation and its recent crisis

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Introduction

Within the South African Development Community (SADC), South Africa has the highest number of broadcasters.¹ Although the country has a strong print media tradition, radio has the greatest reach of any media in South Africa with more than 90 percent of people listening to it and 67.9 percent of households own a working radio set.² Television is available in more than three quarters of households reaching more than 80 percent of the population, whereas newspapers and magazines reach not more than 50 percent as they are “not readily affordable, as many cost more than a loaf of bread”.³

With 18 radio stations and three free-to-air television channels the South African Broadcasting Corporation (SABC) “is by far the largest and most influential broadcaster in South Africa – in terms of reach, size, overall audience figures, number of channels, and share of advertising market”.⁴ In some areas “the SABC is the only source of news and information”.⁵ According to a survey by the Human Sciences Research Council, the public broadcaster is the second most trusted institution in South Africa – confided by 70 percent of the citizens and beaten only by churches.⁶

“In the SADC the SABC is the strongest, best equipped of the various public broadcasters. So it sets an example and standard for the rest. It should accordingly play a leadership role in terms of innovation, programming quality and independence.”

Franz Krüger, Wits Journalism

The history of the SABC

It was established by the South African government in 1936 with radio services offered first in English and Afrikaans. Experimental television broadcasts in the main cities of South Africa started in 1975 and national broadcasts were on the air in January 1976.⁷

Until 1994 the SABC was a “state broadcaster focusing on the narrow interests of the apartheid government”.⁸ The ruling national party used radio and television to further the ideology of the regime and to benefit the white minority.⁹ Its transformation from a former

¹ Console Tleane: The Great Trek North: The expansion of South African Media and ICT Companies into the SADC Region. Braamfontein 2003, p.44.

² Statistics South Africa: Community Survey 2016, Statistical release. On <http://cs2016.statssa.gov.za/>.

³ Hendrik Bussiek, Jane Duncan, Libby Lloyd, Jeanette Minnie: Public broadcasting in Africa series: South Africa. Johannesburg 2010, p. 20.

⁴ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 125.

⁵ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 125.

⁶ Human Sciences Research Council: Between Trust and Scepticism: Public confidence in institutions. Pretoria 2003, on <http://www.hsrc.ac.za/en/review/March-2008/public-confidence>.

⁷ Gauteng Tourism Authority: The South African Broadcasting Corporation (SABC). On http://www.gauteng.net/attractions/the_south_african_broadcasting_corporation_sabc/.

⁸ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 170.

⁹ Gauteng Tourism Authority: The South African Broadcasting Corporation (SABC). On http://www.gauteng.net/attractions/the_south_african_broadcasting_corporation_sabc/.

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mouthpiece of the government into a public broadcaster began in the early 1990s and was "identified as one of the crucial precursors for a free and fair election".¹⁰

Today the SABC is a public company with the state as the sole shareholder in terms of the Broadcasting Act., no. 4 of 1999.¹¹ The act introduced a charter entrenching the corporations' "independence" and the right to "freedom of expression".¹²

"The SABC was transformed from a propaganda machine of the apartheid state to a public broadcaster with a mandate to inform the population. It's a public broadcaster and not a state broadcaster, but its turning back into a state broadcaster and that's a huge problem for democracy."

Micah Reddy, Right2Know Campaign

Accusations of censorship

In the past years the SABC has been criticised for its programming policy, for being too close to the government and for self-censorship multiple times.

In 2006 the broadcaster took a critical documentary on President Thabo Mbeki off air.¹³ Later in that year the SABC was accused of having a blacklist for commentators critical of the government.¹⁴ Although the SABC had admitted this method saying this was not in line with its code of conduct in November 2012, it was accused of it again in 2015.¹⁵

"The SABC, and its Chief Operating Officer (COO) Hlaudi Motsoeneng in particular, have been embroiled in a ten-year long crisis concerning its independence. These can firmly be said to have begun with the former Head of News and Current Affairs, Dr Snuki Zikalala's overtures for an SABC that drives a 'good news' narrative which, combined with the blacklisting of political commentators, brought into sharp relief how state-owned public media was being manipulated by political elites, specifically those in the governing party, to advance their party and factional interests."

Sekoetlane Phamodi, Support Public Broadcasting (SOS) Coalition

In 2009, one week before the national and provincial elections, the SABC withdrew a documentary on political satire exploring the fact President Jacob Zuma suing a cartoonist.¹⁶

Eventually, in 2013, SABC's COO Hlaudi Motsoeneng called for more "sunshine news" saying he believes "70% should be positive stories and then you can have 30% negative stories".¹⁷

¹⁰ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 126.

¹¹ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 59.

¹² Acts Online: Broadcasting Act, 1999 (Act. No. 4 of 1999). Charter of Corporation. On http://www.acts.co.za/broadcasting-act-1999/6_charter_of_corporation.

¹³ Mail & Guardian: SABC to screen Mbeki documentary. 6 June 2007, on <http://mg.co.za/article/2007-06-06-sabc-to-screen-mbeki-documentary>.

¹⁴ Mail & Guardian: Inside the SABC blacklist report. 13 October 2006, on <http://mg.co.za/article/2006-10-13-inside-the-sabc-blacklist-report>.

¹⁵ Thinus Ferreira: SABC 'blacklisting' again; dumps commentator over Nkandla remarks. News24, 3 June 2015, on <http://www.news24.com/SouthAfrica/News/SABC-blacklisting-again-dumps-commentator-over-Nkandla-remarks-20150603>.

¹⁶ Mail & Guardian: SABC pulls Special Assignment doccie on Zuma, Zapiro. 14 April 2009, on <http://mg.co.za/article/2009-04-14-sabc-pulls-special-assignment-doccie-on-zuma-zapiro>.

¹⁷ Glynnis Underhill, Ruwaydah Harris: SABC calls for 70% happy news. Mail & Guardian, 30 August 2013, on <http://mg.co.za/article/2013-08-30-00-sabc-calls-for-70-happy-news/>.

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Overall it becomes apparent that more than two decades “after apartheid crumbled, SABC cannot shake off perceptions that it is still a propaganda tool of the country’s rulers – this time the African National Congress”¹⁸ Due to this development various Civil Society organisations have emerged. The Supporting Public Broadcasting Coalition, formerly Save Our SABC (SOS), was formed in June 2008 and campaigns for public broadcasting in the public interest with primary focus on the SABC. The Coalition is made up of a broad range of NGOs, CBOs, Trade Unions, Trade Union Federations, and individuals such as academics, policy and legal consultants and artists.¹⁹ The Right2Know Campaign (R2K) was launched in 2010 and is centered on freedom of expression, access to information and communication rights.²⁰ Media Monitoring Africa (MMA) has been monitoring SABC content since 1993.²¹ Therefore it is in a “unique position to make judgments about the extent of the broadcaster’s delivery on its mandate”.²²

As media consultant Hendrik Bussiek and his team have researched, there are widely differing views on the causes of the enduring crisis. “Many attribute the problems to poor governance, or more specifically bad management”.²³ Some experts regard the broadcaster’s dependence from commercial sources of funding as one reason why it’s not fulfilling its mandate. Media Monitoring Africa has attempted deeper analyses concluding that the crisis is a conglomerate of “political upheavals, mismanagement, absence of effective systems and structures, corruption, loss of credibility in the eyes of the public, a failure of oversight structures, and a ‘great dollop of greed of the most disgusting order by some of the employees who cared not a jot that they were screwing the public to be rich’.”²⁴ The Right2Know Campaign depicts the SABC leadership and its connection with politicians as another cause:

„Under the heavy-handed and incompetent management of Hlaudi Motsoeneng we have seen worsening censorship. In recent months we have witnessed some of the most egregious violations of the Broadcasting Act and Charter. Especially under Zuma the state capture has worsened: The Zuma faction wants to undermine SABC’s independence. As Motsoeneng is very close to Zuma being his political lapdog, he has made very clear that he has a pro-Zuma political agenda. He is very close to turning SABC into a PR machine for the ruling elite.”

Micah Reddy, Right2Know Campaign

The recent crisis at the SABC has shown once more “that South Africans are passionate about their public broadcaster and there are high levels of civil society mobilization around the broadcaster”.²⁵ On the basis of a chronicle it will be analyzed by experts such as MMA’s Director William Bird, Micah Reddy from the Right2Know Campaign, Sekoetlane Jacob Phamodi from the SOS Coalition, Justine Limpitlaw, an independent electronic communications lawyer, and Prof. Franz Krüger, Head of the Wits Journalism.

¹⁸ Gershwin Wanneburg: SABC battles image of state mouthpiece. Independent Online (IOL), 2 September 2005, on <http://www.iol.co.za/news/south-africa/sabc-battles-image-of-state-mouthpiece-252434>.

¹⁹ Support Public Broadcasting (SOS): About us, on: <http://www.soscoalition.org.za/about-us/>.

²⁰ Right2Know Campaign (R2K): About us, on <http://www.r2k.org.za/about/>.

²¹ Media Monitoring Africa (MMA): Who we are, on <http://www.mediamonitoringafrica.org/index.php/about/>.

²² Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 232.

²³ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 238.

²⁴ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 233.

²⁵ Bussiek et al.: Public broadcasting in Africa series: South Africa, p. 238.

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AUGUST 2016www.kas.de/mediaafricawww.kas.de**May 27: SABC bans footage of violent protests**

In a press release the SABC announces that it will no longer broadcast footage "of the destruction of public property during protests".²⁶ "The SABC would like to make an appeal to other South African broadcasters and the print media to stand in solidarity with the public broadcaster not to cover the violent protests that are on the rise and in turn destroying public institutions."²⁷ The SABC's Chief Operations Officer Hlaudi Motsoeneng stated that it is "regrettable that these actions are disrupting many lives and as a responsible public institution we will not assist these individuals to push their agenda that seeks media attention".²⁸

"The SABC's censorship is clearly illegal – it goes against the Constitutional right to freedom of expression including the right to receive information and ideas."

Justine Limpitlaw, Electronic Communications Law Consultant

"The timing, here, is especially important. The period during which these unlawful editorial directives were issued by Motsoeneng also happened to be the critical period in the run-up to local government elections where a lot of civil unrest around the country, particularly in ANC governed municipalities and wards, had been happening. This posed a threat against the governing party's bid to retain key municipalities and metros such as Tshwane and Johannesburg. It appears, therefore, that the censoring editorial directives issued by Motsoeneng were to protect the governing party from losing the esteem and votes of the overwhelming majority of the electorate who rely almost exclusively on the SABC of their information needs."

Sekoetlane Phamodi, SOS Coalition

May 28: Media groups to contest SABC decision

The Freedom of Expression Institute (FXI), Media Monitoring Africa and the SOS Coalition say that they would fight this decision.²⁹

"We've seen how much support the ANC has lost due to never ending scandals. The censorship is one way of trying to control the damage done to the ruling faction by covering up and manipulating the news narrative; any politician would be totally aware how important the SABC is politically."

Micah Reddy, Right2Know Campaign

²⁶ South African Broadcasting Corporation (SABC): Footage of the destruction of public property during protests will no longer be broadcasted. 27 May 2016, on http://www.sabc.co.za/wps/portal/SABC/SABCARTICLE?id=eb0171804ce94e138052bb271348019a&page_from=noticeboard.

²⁷ SABC: Footage of the destruction of public property during protests will no longer be broadcasted. 27 May 2016, on http://www.sabc.co.za/wps/portal/SABC/SABCARTICLE?id=eb0171804ce94e138052bb271348019a&page_from=noticeboard.

²⁸ SABC: Footage of the destruction of public property during protests will no longer be broadcasted. 27 May 2016, on http://www.sabc.co.za/wps/portal/SABC/SABCARTICLE?id=eb0171804ce94e138052bb271348019a&page_from=noticeboard.

²⁹ Siyabonga Mkhwanazi: Media groups to contest SABC decision. IOL, 29 May 2016, on <http://www.iol.co.za/capetimes/media-groups-to-contest-sabc-decision-2027728>.

May 30: Communication minister welcomes SABC ban on violent protests

In a statement published by her department, Communications Minister Faith Muthambi from the ruling African National Congress (ANC) says: „We unequivocally condemn the destruction of public and private infrastructure. It is our belief that the decision by the public broadcaster not to show footage of people burning public institutions, such as schools and libraries, in any of its news bulletins, will go a long way to discourage attention seeking anarchists”.³⁰ The statement further says that one “of the SABC’s mandates is to prioritise nation building and the promotion of social cohesion. It is therefore important that the institution is supported in its endeavours to promote social stability, national identity, patriotism and love for our country”.³¹

May 31: ICASA asked to overturn SABC’s decision

Several organisations submit an urgent application to the Independent Communications Authority of South Africa (ICASA) to force the SABC to immediately revoke its controversial decision.³² William Bird writes in Daily Maverick that “SABC’s decision is bad for journalism, how it will undermine media freedom, encourage self-censorship and is a throw-back to apartheid style action”.³³

June 17: MMA formally complains to ICASA about SABC censorship

Lobby group Media Monitoring Africa says it is prepared to go all the way to the High Court in a bid to force the SABC to reverse its decision.³⁴

“Because of the role of the SABC, not just in the region, but given its centrality to South Africa, if it is allowed to continue practicing censorship, it undermines not only the SABC but our media freedom more broadly. What we need to make clear is that it is precisely because censorship isn’t simply a media issue, but to grow it has to operate in violation of our laws and constitution. The moment that happens and if we allow that, what is to stop others operating in the same way with mobile operators for example? Not only will they be allowed to get away with it, but the stories will be prevented from being told. This really is a battle for the very heart of our democracy and it is one we will fight with everything we have.”

William Bird, Media Monitoring Africa

June 20: No footage of violent protests in SABC news coverage

One and a half months before the municipal elections, protests break out over two days in parts of Tshwane, the Metropolitan area centred on the city of Pretoria, north of Johannesburg. At the heart of this protest is the announcement of ANC politician Thoko Didiza as the

³⁰ The Department of Communications of South Africa (DoC): Minister of Communications notes SABC’s decision not to broadcast footage of the destruction of public infrastructure. 30 May 2016, on <http://www.doc.gov.za/newsroom/media-releases/minister-communications-notes-sabc%E2%80%99s-decision-not-broadcast-footage>.

³¹ DoC: Minister of Communications notes SABC’s decision not to broadcast footage of the destruction of public infrastructure. 30 May 2016, on <http://www.doc.gov.za/newsroom/media-releases/minister-communications-notes-sabc%E2%80%99s-decision-not-broadcast-footage>.

³² Llewellyn Prince: Icasa asked to overturn Hlaudi’s blackout decision. City Press, 31 May 2016, on <http://city-press.news24.com/News/icasa-asked-to-overturn-hlaudis-blackout-decision-20160531>.

³³ William Bird: We CAN report that there are questions and obfuscation where the SABC news should be. Daily Maverick, 1 June 2016, on <http://www.dailymaverick.co.za/opinionista/2016-06-01-we-can-report-that-there-are-questions-and-obfuscation-where-the-sabc-news-should-be/#.V67t5ZiLS03>.

³⁴ MMA: Media Monitoring Africa formally complains to Icasa about SABC ‘censorship’. 17 June 2016, on http://www.mediamonitoringafrika.org/index.php/news/entry/media_monitoring_africa_formally_complains_to_icasa_about_sabc_censorship/.

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mayoral candidate ahead of the 2016 municipal elections.³⁵ The protesting community accuses the ANC of imposing her over their preferred candidate, current mayor Kgosisentso Sputla Ramokgopa. At least five people die and 200 people get arrested.³⁶ Reports say that police and protesters have threatened and attacked reporters filming protests.³⁷

William Bird describes the events in Daily Maverick: „As I write this, violence in Tshwane is reportedly getting worse. Buses have been burnt, property (private and public) has or is being destroyed, including clinics. Yet until the 23:00 news no mention of this was made on the SABC’s 24 hour news channel. At 23:00 there was an interview with the Mayor of Tshwane (with no visuals, surprise surprise) and no context or explanation“.³⁸

Independent broadcasters meanwhile, such as eNCA, reveal images and footage showing the full extent of the damage. Furthermore, under the hashtag #TshwaneUnrest photos and videos are published on Twitter. The SABC is being criticized for its lack of coverage of the political protests in Pretoria. Twitter users as well as journalists take the SABC to task over their non-coverage. “If every other media house in the country was there and reporting on it, then on how earth did they manage to miss it?” William Bird questions on MMA.

According to Media Monitoring Africa SABC journalists were banned from filming violent footage initially recorded at the scene in Atteridgeville, Tshwane. “The decision to ban coverage of public protests has been in force for a few weeks now and already its impact is being felt”, *William Bird says Radio 702*.³⁹ This is a „clear threat to our democracy“.⁴⁰

“The SABC’s attempt to constrain coverage of violent protest is wrong, and damages the corporation itself. People need to know the extent of anger which leads to public violence, much as this violence itself can’t be condoned, and that must include visual coverage. It is not at all clear that coverage causes copy-cat violence, as claimed by some SABC spokespeople. On TV, even just a ban on visuals would push stories of this kind down the running order or out of a bulletin since TV prefers stories with visual elements. In general, the rule would also have a chilling effect on coverage, sending the signal to SABC staff that these kinds of stories should be downplayed.”

Franz Krüger, WITS Journalism

June 20: Right2Know Campaign protests in front of SABC studios

The Right2Know Campaign leads protests against SABC management in Durban, Cape Town and Johannesburg, citing the ban on protest coverage and the new editorial policies. It accuses SABC’s COO Hlaudi Motsoeneng of doing the leading party’s bidding.⁴¹

³⁵ [Bianca Ackroyd](#): Why are the Tshwane protests so violent? eNews Channel Africa (enca), 21 June 2016, on <https://www.enca.com/south-africa/why-are-the-tshwane-protests-so-violent>.

³⁶ Poloko Tau: Update: 5 deaths, 200 arrests in Tshwane unrest. City Press, 23 June 2016, on <http://citypress.news24.com/News/ipid-is-called-in-after-2-more-deaths-in-tshwane-20160623>.

³⁷ Committee to Protect Journalists (CPF): South African reporters attacked covering protests, broadcaster suspends journalists. 24 June 2016, on <https://cpj.org/2016/06/south-african-reporters-attacked-covering-protests.php>.

³⁸ William Bird: See No Evil: The SABC ignores the news happening on its own doorstep. Daily Maverick, 21 June 2016, on <http://www.dailymaverick.co.za/opinionista/2016-06-21-see-no-evil-the-sabc-ignores-the-news-happening-on-its-own-doorstep/#.V6t44piLTIX>.

³⁹ Radio 702: No footage of violent #TshwaneUnrest in SABC news coverage. 21 June 2016, on <http://www.702.co.za/articles/14425/no-footage-of-violent-tshwaneunrest-in-sabc-coverage>

⁴⁰ Radio 702: No footage of violent #TshwaneUnrest in SABC news coverage. 21 June 2016, on <http://www.702.co.za/articles/14425/no-footage-of-violent-tshwaneunrest-in-sabc-coverage>

⁴¹ R2K: Right2Know Campaign accuses SABC of political bias. 20 June 2016, on <http://www.r2k.org.za/2016/06/20/right2know-campaign-accuses-sabc-of-political-bias/>.

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June 23: ICASA to be handed petition against SABC's protest footage ban

The community advocacy organisation amandla.mobi has collected over 4,000 signatures from the public, to be handed over to ICASA complaints committee.⁴²

June 24: Suspension of three SABC journalists

Three senior SABC journalists are suspended for disagreeing with a decision not to cover a protest directed at the broadcaster.⁴³ The South African National Editors' Forum (Sanef) says it was "shocked" by the suspension.⁴⁴ According to Sanef, economics editor Thandeka Gqubule, executive producer Foeta Krige and senior journalist Suna Venter were suspended for disagreeing with an instruction during a diary conference not to cover the Right2Know Campaign's protest against censorship at the public broadcaster.⁴⁵

June 24: The CPF calls for investigations into reports that police assaulted journalists covering unrest

The Committee to Protect Journalists (CPF) voices concern over media reports that the SABC suspended three journalists for opposing an editorial decision not to cover a protest. CPJ also calls for credible investigations into reports that police assaulted journalists covering unrest in Tshwane.⁴⁶

June 26: Three senior SABC journalists write a letter of complaint to SABC's COO

In a letter to Hlaudi Motsoeneng three SABC journalists describe the heightened sense of fear and low staff morale in their newsrooms.⁴⁷ Busisiwe Ntuli, Jacques Steenkamp and Krivani Pillay wrote the letter to register their displeasure and increasing concern about the recent developments occurring in the SABC newsroom. "Our newsroom has become a source of derision, despair and criticism from the people that we are fundamentally accountable to, the public at large".⁴⁸

June 27: SABC's CEO resigns

SABC's CEO Jimi Matthews resigns posting his letter of termination on twitter: "What is happening at the SABC is wrong and I can no longer be part of it".⁴⁹ Matthews, who covered the uprisings on the streets of Cape Town's townships in the 1980s, has "always been respected as a journalist and cameraman".⁵⁰

⁴² Neo Koza: Icasa to be handed petition against SABC's protest and footage ban. Eyewitness News (EWN), 22 June 2016, on <http://ewn.co.za/2016/06/22/icasa-to-be-handed-petition-against-SABCs-protest-footage-ban>.

⁴³ BDLive: Suspension of SABC journalist shocks National Editor's Forum. 24 June 2016, on <http://www.bdlive.co.za/national/media/2016/06/24/suspension-of-sabc-journalists-shocks-national-editors-forum>.

⁴⁴ BDLive: Suspension of SABC journalist shocks National Editor's Forum. 24 June 2016, on <http://www.bdlive.co.za/national/media/2016/06/24/suspension-of-sabc-journalists-shocks-national-editors-forum>.

⁴⁵ BDLive: Suspension of SABC journalist shocks National Editor's Forum. 24 June 2016, on <http://www.bdlive.co.za/national/media/2016/06/24/suspension-of-sabc-journalists-shocks-national-editors-forum>.

⁴⁶ CPF: South African reporters attacked covering protests, broadcaster suspends journalists. 24 June 2016, on <https://cpj.org/2016/06/south-african-reporters-attacked-covering-protests.php>.

⁴⁷ Ziyanda Ngcobo: SABC journalists: Fear, low staff morale, public criticism mounting. EWN, 27 June 2016, on <http://ewn.co.za/2016/06/27/Senior-journalists-tell-Hlaudi-public-criticism-is-mounting>.

⁴⁸ Busisiwe Ntuli, Krivani Pillay, Jacques Steenkamp: Request for editorial policy clarity and concern over unfair suspensions. 26 June 2016, on https://s3-us-west-1.amazonaws.com/eyewitnessnews/Request+for+editorial+policy+clarity+and+concern+over+unfair+suspensions_0001.pdf.

⁴⁹ Jimi Matthews' letter of resignation. Twitter, 27 June 2016: <https://twitter.com/jimimatthews>.

⁵⁰ Dana Da Silva: Who is Jimi Matthews anyway? The Daily Vox, 1 July 2016, on <http://www.thedailyvox.co.za/jimi-matthews-anyway/>.

July 1: Journalists protest restrictions at SABC

South African journalists take to the streets of Johannesburg and Cape Town to protest what they say is an attempt at censorship by the nation's public broadcaster.⁵¹

July 1: SABC facing court challenge on censorship

The Helen Suzman Foundation launches an urgent application asking the High Court in Pretoria to suspend the implementation of the policy until the court has decided whether it is lawful, or pending the finalisation of an inquiry by the ICASA into the matter.⁵² "As public broadcaster, the SABC is obliged properly to cover events of national and public importance, including political protests and news which accurately reports on the President or any political party", the foundation states in a press release.⁵³

July 5: ANC politician lays into Motsoeneng

Speaking at Luthuli House, ANC's headquarters, Jackson Mthembu, ANC chief whip and chairman of the party subcommittee on communications says the current crisis "cannot be allowed to continue any further and can definitely not be allowed to continue in the name of the ANC".⁵⁴ "We are not in support of any censorship. We are not in support of any public broadcaster coming to the public domain and saying this is what you can watch, this is what you can't watch," says Mthembu.⁵⁵ And: The Minister of Communications needed to come up with a turnaround strategy that would include people who are knowledgeable in running a billion rand institution.⁵⁶

"There was the appearance of double speak from within the governing party and government overall. The ANC came out strongly against the allegations of self-censorship in the SABC. The ANC Youth League, however, broke ranks and denied there being self-censorship at the public broadcaster. This position would be further endorsed by the Minister of Communications who denied allegations of any kind of censorship at the SABC, in spite of SABC journalists speaking out against it. She also appears to be the President's proxy in his relationship with the Hlaudi Motsoeneng, and has been integral to Motsoeneng's protection since her appointment.

Sekoetlane Phamodi, SOS Coalition

July 6: More protests at SABC

An anti-censorship picket led by the SOS Coalition, together with the Gauteng South African Communist Party (SACP) demonstrates outside the SABC offices in Auckland Park.⁵⁷

⁵¹ Anita Powell: South African Journalists Protest Restrictions at State Broadcaster. Voice of America (VOA), 1 July 2016, on <http://www.voanews.com/a/south-african-journalists-protest-restrictions-state-broadcaster/3400373.html>.

⁵² Genevieve Quintal: SABC facing court challenge on censorship. BDLive, 4 July 2016, on <http://www.bdlive.co.za/national/media/2016/07/04/sabc-facing-court-challenge-on-censorship>.

⁵³ Helen Suzman Foundation: Press Statement: SABC Court Case. 14 July 2016, on <http://hsf.org.za/media/press-releases-1/press-statement-sabc-court-case>.

⁵⁴ BDLive: ANC's Jackson Mthembu lays into Hlaudi Motsoeneng. 5 July 2016, on <http://www.bdlive.co.za/national/media/2016/07/05/anc-s-jackson-mthembu-lays-into-hlaudi-motsoeneng>.

⁵⁵ Greg Nicolson: ANC finally wakes up to the rot at SABC. Daily Maverick, 5 July 2016, on <http://www.dailymaverick.co.za/article/2016-07-05-anc-finally-wakes-up-to-rot-at-sabc/#.V69ZnZiLS00>.

⁵⁶ Mail & Guardian: ANC has change of heart and condemns SABC for censorship. 5 July 2016, on <http://mg.co.za/article/2016-07-05-anc-condemns-public-broadcaster-for-censorship>.

⁵⁷ Dineo Bendile: Anti-censorship picketers to SABC: Cooperate or face more demonstrations. EWN, 6 July 2016, on <http://ewn.co.za/2016/07/06/Anti-censorship-pickers-warn-SABC-to-cooperate-or-face-more-demonstrations>.

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www.kas.de/mediaafricawww.kas.de**July 11: ICASA rules that the SABC must withdraw its resolution**

ICASA directs the broadcaster to withdraw its decision saying that the “order by the SABC is in conflict with its duties as a public broadcaster and was invalid a) in terms of the Broadcasting Act 1999, the Constitution of the Republic of South Africa, and b) in terms of its licences”.⁵⁸ ICASA demands the SABC Board Chairperson to confirm within seven days that the resolution was taken as ordered.

The same day: Motsoeneng: “No one is gonna tell us what to do”

SABC’s COO responds to ICASA ruling opening his speech with the words “No one is gonna tell us what to do”.⁵⁹ Motsoeneng continued saying “When people talk about censorship, I don’t know what SABC is censoring.” And: “if you talk about censorship I think all newsrooms they censor stories every day in a newsroom”.⁶⁰ The SABC will approach the High Court or the Constitutional Court to take the ICASA decision up on review. “We are challenging that ruling”, Motsoeneng says.

“The broadcaster’s enfant terrible, Hlaudi Motsoeneng, who is known to have a relationship with the President, has received political protection and reward around his disputed appointment as COO of the SABC. In exchange for this, Motsoeneng has been using the SABC to advance the ‘good news’ narrative through the SABC’s news and current affairs programming which has included the unlawful editorial directives banning any negative coverage of the President, the governing party and government, as well as any protest action involving the destruction of public property.”

Sekoetlane Phamodi, SOS Coalition

July 19: SABC fires journalists

The SABC dismisses all eight of the journalists who were recently suspended for speaking out against the controversial editorial policies.⁶¹ For days #SABC8 is trending on Twitter.

July 20: Court prohibits SABC from implementing censorship

Unexpectedly the South African Broadcasting Corporation agrees to a court interdict withdrawing its controversial policy and says it will comply with ICASA’s recent ruling against censorship.⁶²

“Frankly the judgment of the Complaints Compliance Committee (CCC) contains all the legal references and constitutional jurisprudence on these issues. That is why the CCC’s ruling was unanimous. And why it was immediately upheld by the High Court in the Helen Suzman Foundation judgment just a short time thereafter.”

Justine Limpitlaw, Electronic Communications Law Consultant

⁵⁸ Paul Herman: A summary of Icasas’s SABC ruling. News 24, 12 July 2016, on <http://www.news24.com/SouthAfrica/News/a-summary-of-icasas-sabc-ruling-20160712>.

⁵⁹ Hlaudi Motsoeneng: ‘NO ONE WILL TELL SABC WHAT TO DO, I WAS NOT ELECTED - I walk tall, I talk tall!’. Tribe2Tribes, 12 July 2016, on <https://www.youtube.com/watch?v=Kn-l5S9OgA4>.

⁶⁰ Hlaudi Motsoeneng: ‘NO ONE WILL TELL SABC WHAT TO DO, I WAS NOT ELECTED - I walk tall, I talk tall!’. Tribe2Tribes, 12 July 2016, on <https://www.youtube.com/watch?v=Kn-l5S9OgA4>.

⁶¹ BDlive: All eight suspended journalists fired. 19 July 2016, on <http://www.bdlive.co.za/national/media/2016/07/19/all-eight-suspended-sabc-journalists-fired>.

⁶² Greg Nicolson: SABC buckles, but crisis isn’t broken. Daily Maverick, 21 July 2016, on <http://www.dailymaverick.co.za/article/2016-07-21-sabc-buckles-but-crisis-isnt-broken/#.V7CK8JiLS00>.

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"I am very glad that the rule was overturned by ICASA, and that the SABC has decided to accept the ruling. Unfortunately, the signal has been sent, and damage has been caused to the credibility of the SABC anyway."

Franz Krüger, WITS Journalism

July 26: Labour Court: Fired journalists must return to work

The Labour Court rules that four SABC journalists who were fired for questioning the broadcaster's censorship policy must return to work. The court says the SABC's dismissal was unlawful and the journalists must be allowed to return to work immediately.⁶³

William Bird says this decision doesn't mean Hlaudi Motsoeneng and other managers are going to change. "It is probably a response that they don't want to end up in the Constitutional Court than it is about them realising that what they were doing was wrong".⁶⁴

"The judiciary and regulatory bodies, for example the High Court, the Labour Court and the CCC, reacted to the censorship superbly. The government, less so. It is clear that there is a great deal of confusion and factionalism within the ruling party. The ANC initially gave conflicting statements before finally coming down against censorship on the SABC. It summoned the Minister to Luthuli House but according to press reports she refused to go and is still in her position."

Justine Limpitlaw, Electronic Communications Law Consultant

July 27: SABC reinstates fired journalists

One week before the municipal elections on August 3, seven of the eight journalists fired from the SABC were reinstated.⁶⁵

"In the end the SABC was squeezed in a corner. Even Jackson Mthembu, the ANC chief whip and chairman of the party subcommittee on communications criticized the censorship. I would definitely regard SABC's decision to withdraw their policy as a victory of democracy. But the crisis is not over yet, the problems remain."

Micah Reddy, Right2Know Campaign

"Censorship undermines media freedom more broadly and given the role and importance of the SABC locally and regionally, allowing it to continue has potentially catastrophic implications for the region."

William Bird, Media Monitoring Africa

⁶³ Amy Musgrave, Botho Molosankwe: Fired SABC journalists must return to work – court. IOL, 26 July 2016, on <http://www.iol.co.za/news/crime-courts/fired-sabc-journalists-must-return-to-work---court-2049609>.

⁶⁴ MMA: Activists urge caution on celebrating SABC journalist's reinstatement. 28 July 2016, on http://www.mediamonitoringafrica.org/index.php/news/entry/activists_urge_caution_on_celebrating_sabc_journalists_reinstatement/.

⁶⁵ Stephen Grootes: SABC withdraws appeal, 7 of 8 axed journalists reinstated. EWN, 27 July 2016, on <http://ewn.co.za/2016/07/27/7-of-8-SABC-journalists-reinstated>.

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In the past few months South Africa's democracy and the right to freedom of expression in particular have been extensively challenged. For the first time in its history the South African Broadcasting Corporation confessed in public to censor certain events and for the first time it was willing to take an editorial policy to court. The state's checks and balances, judiciary processes and Civil Society have seriously been tested. Broad protests by a variety of organisations have demonstrated their strengths in harnessing the potential of social mobilisation through demonstrations, online activism and awareness campaigns. Both court rulings attest to the South African judiciary's robustness and independence.

In the municipal elections the African National Congress faced the worst election results since apartheid and lost control of the country's largest cities, such as Johannesburg and Pretoria. As the second most trusted institution in South Africa, the SABC itself lost reputation, credibility and, with Jimi Matthews' resignation, at least one of its top journalists. In turn, other broadcasters and newspapers have proven their independence and the diversity of the South African media landscape.

Although the court rulings are a victory of press freedom, the reasons for the crisis remain. Despite their concessions, Motsoeneng and other SABC leaders have in the past defied rulings and been beyond reproach. South Africa's Civil Society, judiciary and the rights to freedom of press and expression will most likely face new challenges. Since South Africa is a critical indicator for public broadcasting on the continent, the rest of the sub-continent will watch the development with interest – as has occurred during the recent crisis.

"Despite our challenges, we have a generally good level of media freedom and for all its faults the potential and to some degree its existing programming remains an example of what a real public broadcaster could be. Certainly, if we compare it to other state broadcasters in our region, it is fair to say it vitally important not only because of its size and scope, but also because it remains a beacon of hope for building a real public broadcaster."

William Bird, Media Monitoring Africa

Julia Brömse, the author of the chronicle, was a research fellow with KAS Media Africa from July to August 2016.