

MAKING DEMOCRACY WORK

The Media Tool Box 3

Public Broadcasting

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1. About this Box

Public broadcasting has a lot of friends in the world today - but they do not always seem to be loving quite the same thing, and certainly not for the same reasons.

For some, the term merely refers to radio and television which is not commercial, following the common distinction between public and private enterprises. For others it means a service provided to the public - much like public schools or public health facilities. And just as there is general agreement that these will be provided by the state for the benefit of all citizens, the same is taken to apply to broadcasting. Terms like 'national broadcaster' or 'state broadcaster' or 'public broadcaster' are thus used interchangeably, as if they all denoted one and the same thing. For yet another group of friends, public broadcasting is the natural home of all that is great and good and worthy on the airwaves, far removed from the plain offerings of commercialism and entertainment.

This Tool Box will dissect some of these myths and misperceptions, so that an informed debate can be held on what exactly public broadcasting is all

about, and to assist its real friends in civil society in their advocacy work. It will describe more precisely what makes a public broadcaster the very opposite of a state broadcaster, what it can do and should be doing, and how it will be controlled, financed, organised and run in order to succeed.

On a more theoretical level, there is probably not much need to argue why this is an important debate that a democratic society needs to tackle – and resolve. Everyone knows what a powerful tool broadcasting is - for both good and bad. And most people are aware that the history of the past century is full of examples of the damage it can do when it falls into the wrong hands and is used for the wrong purposes: from Nazi Germany to dictatorships in various parts of the world to Ex-Yugoslavia and, closest to home, Rwanda.

On a more practical level, though, there is still some distance to travel in many countries of our continent. While democracy is being hailed by almost everybody as the only way to go, the democratisation of broadcasting is not always seen as a priority. Many still regard broadcasting as a legitimate government preserve, and state control over it as something of a God-given right. There are, among others, historical reasons for this.

Broadcasting did start out as a government service originally and was introduced as such by the colonial powers on the continent. When the various liberation movements gained independence for their territories and moved into government, they inherited a broadcasting system which had been

controlled by the colonial masters and used as an effective tool to propagate their aims and keep subjects in their place: as subjects. As it turned out, this was gratefully accepted as a welcome legacy by many of the new rulers. As Andrew Chigovera, a member of the African Commission on Human and Peoples' Rights put it during a conference of broadcasters in Maputo/Mozambique in September 2004:

“The new Nationalist governments did not only continue with the inherited control of broadcasting but tightened controls under the guise of promoting unity and preserving the security of the new State thereby sacrificing the very democratic principles and dignity of man which formed the basis for nationalist struggles. ... State broadcasting as presently constituted in most African countries, constitutes one of the worst assaults on freedom of expression.”

State broadcasters, of course, come in a number of different shapes and forms. On the organisational side they may be just a government department under the ministry of information. They may be a parastatal distinct from the ministry but still controlled by it. They may come in the guise of a 'public broadcaster', complete with a board of citizens 'controlling' the service - but with that body in fact being handpicked by government and beholden to its wishes. Or they may have a pretty independent looking supervising body but still be open to government interference by way of regulations or directives.

As far as actual broadcast output is concerned, there are considerable differences as well - but it needs to be borne in mind that these will be mostly differences in degree rather than in essence. At the extreme end of the scale is the blatant abuse of the service as a mere propaganda tool to push the government line. This is fairly easy for the public to spot - especially nowadays, when there are so many other sources of information available. At the other end of the scale is the inability or the unwillingness to grasp when the fine lines between self-interest and public interest, between the interests of the state and those of the ruling party are gradually being blurred. To take just one practical example: Of course it is in the public interest to be informed about what government is doing, but things are definitely going wrong when this translates into endless processions of cabinet ministers and party officials making statements on the news every night.

People won't be fooled for long either way, by blatant propaganda or by the more benign attempt on the part of government to 'inform' which results in the crowding out of almost all other information or points of view. Such broadcasters will quickly lose credibility, and people will stop listening altogether or turn to the newly established private services. To the objective observer this is really the most baffling aspect about the continuing belief in state broadcasting on the part of the authorities: They are demonstrably defeating their own purpose and putting off the very audience they are so eager to target.

There is another (delicious) irony: Ruling parties who have been voted out of office will often then become the most vocal in demanding an end to government control of the national broadcaster. And opposition parties who have punted this line all along, once voted into office are often surprisingly quick to find that this would be quite the wrong way to go and that broadcasting should best be left where it is: in government hands. Surely there couldn't be a better reason why it should not.

Like all players in a democratic society, the government, of course, is entitled to engage in publicity work to keep 'the nation' informed on its activities, policies and plans. People need to know about them because their lives are and will be affected by them. In addition, governments need publicity in order to win people's votes in the next election - that in itself has nothing to do with the 'national interest' but it is a legitimate aim. The same applies to the opposition, which is similarly in need of a public forum. All sides should seek to use the most effective and credible vehicle of communication to get their points across. And the better the content and the packaging of their message, the more of a hearing it will get in the media as a whole, not just in their own, partisan outlets.

Why then should the business of information via the airwaves not be left to the commercial sector in broadcasting as it is done, rightly so, in the case of the print media? Why not just have the widest possible array of different stations catering for the different interests? What kind of added value (as

they say) do public broadcasters bring to the bargain?

This takes us back to the question of ‘the national interest’ – though in a very specific sense of the word. Worldwide public broadcasting services are seen as general interest media which provide the necessary links between individuals in modern mass societies. This is particularly relevant in countries where neither commercial nor community broadcasters will be able to provide national coverage. Public broadcasters play an essential role as catalysts for shared experiences which bring people together: give them something to talk about and to rally around as a community, as a nation – in all its variety of expressions. The European Broadcasting Union (EBU), the largest association of public broadcasters in the world, puts it like this:

“The more diversification and individualization of information sources there is, the more audiences become fragmented, the more important it will be to maintain at least one strong service which performs the function of a national point of reference and of national identification”.

This broad appeal as a common forum for all is probably one of the main reasons for the enduring strength of public broadcasting – and nothing could be further from what state broadcasters are able to provide.

With the advent of commercial radio and TV in Europe many experts had forecast a slow but sure death for the good old public variety. So, a little later

on, did doomsayers in Africa. Now that people have experienced and are able to assess what commercial broadcasting offers, it turns out (as its many fans were always convinced it would) that good public broadcasting has no reason to fear competition and that its value is indeed being increasingly acknowledged.

Not all countries on the continent are in the lucky position of having such services yet. But they have expressed their determination to get there. As the 2002 Declaration by the African Commission on Human and Peoples' Rights on Freedom of Expression says:

“State and government controlled broadcasters should be transformed into public service broadcasters, accountable to the public through the legislature rather than the government.”

This Tool Box aims to assist in making that happen and will map out the difficult, often painful process of transformation. It refers to experiences made worldwide and options for solutions. Again, it offers no prescriptions but rather suggestions and arguments to strengthen the arm of civil society members and media activists who seek to make democracy work by giving power - over the national broadcaster - to the people.



2. What is public broadcasting?

The European Broadcasting Union offers the simplest, most pared-down definition. Public broadcasting, it says, is broadcasting

- made for the public
- financed by the public
- controlled by the public.

UNESCO puts some more meat on the bone - and heart into the matter:

“Public broadcasting is defined as a meeting place where all citizens are welcome and considered equals. It is an information and education tool, accessible to all and meant for all, whatever their social or economic status. Its mandate is not restricted to information and cultural development – public broadcasting must also appeal to the imagination, and entertain. But it does so with a concern for quality”.

And the Southern African Broadcasting Association (SABA), an association of all state or public broadcasters in the Southern African Development

Community (SADC) region, says in its 1995 policy paper “On the Move”:

“If democracy is to take root and have meaning beyond the formal electoral process, people in Southern Africa must be in a position to understand the changes taking place around them. They must be enabled to actively participate in processes and decisions which affect them and make informed choices. Public broadcasting, in providing access to a wide range of information and ideas, serves as an instrument of popular empowerment through its programming.”

The same policy paper then sets out to pinpoint more precisely what it is that makes public broadcasting a unique service to the public quite different from the other types of broadcasting (state, commercial and community) in a number of ways. Only public broadcasting, it says, is in a position to provide all of the following:

A diversity of programmes for all

“Public broadcasting provides programming for all, in which everyone, be it the general public or minority audiences, will find material to inform, entertain and enrich.”

It is a service to the general public in all its variety, diversity and controversy, and not only to the supposedly important or interesting sections of the public - important or interesting for whatever reason:

politically, commercially, with regard to their age, their status in society or their market power. Because public broadcasting serves the population in its entirety, regardless of cultural backgrounds, political convictions, sexual orientations, religious beliefs, languages or skin colours, it is by definition non-discriminatory. To achieve its goals, its signal must cover, more or less, the country as a whole and be accessible to all. This rules out technical facilities which exclude parts of the population, for example decoders for pay-TV.

Neither state-controlled nor commercial or community broadcasting organisations can achieve such inclusiveness. State-controlled TV and radio do not serve the public in all its variety, diversity and controversy regardless of political convictions. Commercial broadcasting discriminates on the basis of market power - the majority of the population, being rural and poor, can not and will not be served by commercial broadcasting geared only and exclusively to the delivery of consumers to the market. Community radios, as is their obligation, serve a certain community only, be it geographically defined or a community of interest, and not the population at large.

A forum for democratic debate

“Public broadcasting offers a forum for democratic debate with news and current affairs reporting which is balanced and explanatory, and which counterbalances the trend towards trivialization and sensationalism.”

Public broadcasting will always strive to get all voices on the airwaves regardless of how popular the viewpoints expressed may be, so that people get the full picture. It thus gives meaning to the twin basic rights of freedom of expression and information. This demands considerable perseverance along with the upholding of high professional standards in order to earn the trust of the public. Public broadcasting is based on a range of values like accuracy, reliability and truthfulness. It requires honesty and fairness in all comment, and impartiality in all matters of public controversy.

The prerequisite for the public broadcaster to be able to do its work in this manner and thus enable democratic debate is obvious. It must be independent and seen to be independent - not beholden to any outside authority or subject to commercial or political pressure, accountable only to the public through its democratically instituted structures and procedures.

State-controlled broadcasting is, by definition, biased in favour of the authorities and can not provide an open forum for democratic debate. Market-driven radio and TV stations are always tempted to trivialise and sensationalise in order to boost their ratings, and they have no time for lengthy debates and explanation of issues - which might put the audience off and make them miss the next commercial break. Being committed to the free market system on which they and their main customers, the advertisers, thrive, they are unlikely to give room for an open debate on principles of societal organisation. Community radios, by nature,

will provide such a forum only on a much more limited, local scale.

In a democratic environment of open debate where the state or political parties do not control broadcasting, they will have to compete with other voices in order to communicate their messages to the public. They will not enjoy unlimited access to the airwaves, and the information they wish to convey will be subject to editorial scrutiny just like any other. This will result in fierce competition for limited airtime and force everyone to sharpen their communication skills. For the audience this is likely to mean more interesting listening and viewing.

A showcase for culture

“Public broadcasting offers a showcase for culture by promoting the various cultures of the people as well as covering developments in the intellectual and artistic fields.”

A good public broadcaster will provide more than just a sprinkling of cultural items here and there - tucked away in late night spots for the exclusive enjoyment of a few high-brow members of the audience. It will seek out and take pride in showing, again, the full picture. A national public broadcaster will give expression to national cultural identity in all its variety. It will also become an active player by developing - mutually beneficial - partnerships with the film industry, radio and TV production houses, the theatre, musicians, and all other cultural institutions. In addition a public broadcaster will be

able to provide wider cultural exchanges through international co-operation between sister organisations.

All of this cannot be offered by other forms of broadcasting. For commercial enterprises cultural programmes are usually too expensive because they do not sell easily to advertisers. And community broadcasters, committed as they are to their specific community, cannot be expected to cover the whole range of cultural activities.

A vehicle for development

“Public broadcasting runs extensive promotional campaigns for development in areas like health, agriculture, nutrition, civic education, environmental protection and family planning.”

This can be done in a variety of ways to be devised by editors and producers so as to both transmit a message effectively and make for good listening or viewing. Depending on where such material is to be placed, it will come in the form of advertisement-like spots, documentaries, entertainment and talk shows, radio drama, soap operas, or films.

Commercial stations may accept the occasional radio or TV spot from government departments or public bodies to demonstrate their sense of social responsibility, or they may run sponsored and thus potentially biased programmes for commercially attractive target groups only. Community radios will obviously act as vehicles for development as well,

but have only a limited reach. The same, in a way, goes for the state broadcaster: While it may appear to be ideally placed to play this role, its general lack of credibility as a government mouthpiece will, in the perception of the audience, extend even to such *bona fide* material and lead to its being dismissed as mere propaganda.

Unrestricted public access to events of significance

Public broadcasting will offer extensive live coverage of important events in a variety of fields from politics to culture and sports: debates in parliament, festivals or national competitions, soccer tournaments. Such events of significance must not be confined to commercial radio or TV outlets which either do not cover the entire country or exclude the majority who do not have pay-TV decoders. Top sports coverage in particular is both a widely popular and an increasingly expensive commodity. Many countries now have lists of events in place to which the public broadcaster must be given access by the organisers if it is the only nation-wide free-to-air service. Probably the most prominent examples are the Soccer World Cup or the Olympic Games - one could add the African Cup of Nations and other highlights.

A reference standard for quality

Public broadcasting will set the standard of quality both in radio and TV, thus making the public more demanding of all channels and keeping both

commercial and community broadcasters on their toes. Only public broadcasters, which are not out to make a profit and are publicly funded, have the range of programming and the resources to demonstrate what can be done on air and serve as such a reference point. They can provide a counterweight to the uniformity of the fare offered by commercial competitors who often do little more than copy successful recipes with only slight variations.

Public broadcasters can dare to be creative and innovative and unorthodox in their programming without constantly aiming at maximum audience figures. This is well worth noting and runs counter to a not uncommon misunderstanding: serving the public as a whole and being accessible to the public as a whole does not mean trying to please all the people all the time by providing one-size-fits-all type of programming or appealing to the lowest common denominator with regard to content or presentation. The diversity which is the mark of a good public broadcaster will manifest itself both in form and subject matter.

Extensive original production

Public broadcasters will not allow themselves to become mere redistribution machines for ready-made, preferably cheap material offered by the international music, film and TV industry. They will retain control over their programming in order to give the public a distinctive product, one that the audience will recognise as a true reflection of the

reality they live in. The best way to achieve this is through home-grown material, most often sourced from local production houses.

Commercial stations, with their eye on the bottom line, will be very wary of incurring any unnecessary expenses and, if at all, commission only productions which are sure to push up their ratings. Community stations simply lack the resources - though they will have a lot of local material live on air. And a state-controlled station? Well, we all probably know only too well what to expect in this respect. Politically correct documentaries and patriotic films that toe the officially prescribed line may be 'original' productions, but they are certainly not attractive broadcasting.

A continuous service to the public

“Public broadcasting provides a continuous service to the public. Most economies [in Africa] are not strong enough to sustain nation-wide commercial radio and television stations. The majority of the population, being rural and poor, cannot and will not be served by commercial broadcasting geared only and exclusively to the delivery of consumers to the market.”

Being the staple food that people are able to rely on at all times is not the least of the qualities - and responsibilities - that mark a public broadcaster. Commercial broadcasters are responsible to their owners or shareholders only, so they will operate where and as long as they can make a profit. Given

the volatility of the economy in many developing countries it is always possible that they will all of a sudden fold and disappear from the airwaves, for a period of time or for good. If broadcasting was run exclusively on a commercial basis, a country could be left without any service at all in times of crisis.

Altogether this may sound like a very ambitious vision indeed for a public broadcaster. And so it is. But it is also a reality in many parts of the world, even if no such organisation will always score full marks on all counts. The public will expect and demand, though, that it keeps trying and improving its performance in line with the vision. That's what the notion of accountability is all about, and that's the essence of what makes public broadcasting special.



3. Control of public broadcasting

How does one ensure that the public broadcaster does indeed do what it is supposed to do, more precisely: what the public expects it to do? In what way can and will it be held accountable by the public?

The public broadcaster will be headed by a democratically constituted board representative of the public at large. In the words of the 2002 Declaration by the African Commission on Human and Peoples' Rights on Freedom of Expression:

“Public broadcasters should be governed by a board which is protected against interference, particularly of a political or economic nature.”

This clause mirrors a call made in the African Charter on Broadcasting adopted by the MISA/UNESCO conference Windhoek + 10 a year earlier:

“All state and government controlled broadcasters should be transformed into public service broadcasters, that are accountable to all strata of the people as represented by an

independent board, and that serve the overall public interest, avoiding one-sided reporting and programming in regard to religion, political belief, culture, race and gender.”

Appointment procedures for the board

Internationally, such boards are appointed in a number of different ways – not all of them equally (or really) democratic, as it turns out on closer scrutiny.

The mother of all public broadcasters, the British Broadcasting Corporation (BBC), is often cited as the shining example to emulate in all respects. The BBC is supervised and regulated by a board of governors appointed by the Prime Minister without any input from Parliament. The International Institute for Regulators in Telecommunications found that “in the past appointees have tended to come from a small Westminster circle of the elite. The Blair Labour government has attempted to widen the pool of potential appointees by advertising for BBC governors” - but government still retains the sole right of appointing.

Surely this is not a recipe to be followed blindly. The fact that the BBC is seen as being truly independent from the state - and has often demonstrated that independence - is only thanks to a long-standing tradition in the corporation, evolved over decades and under often difficult circumstances, to keep its own council and have its own mind, in the knowledge that this is what the public expects. Its

credibility with its audience is so high that any overt attempt by government to interfere in its affairs or decisions would - and every now and again does - cause a public outcry. In theory, though, such intervention is always possible through the board appointments procedure.

After World War Two the BBC model was adopted by newly liberated Germany - and modified, bearing in mind the country's catastrophic experience of dictatorial rule. Boards of public broadcasters in Germany are appointed mainly by civil society. They are by design fairly large in order to ensure representation from as broad a spectrum of society as possible.

The board of the West German Broadcasting Corporation, for example, consists of no less than 41 members. 12 are elected from among the provincial members of parliament - according to the numerical strength of the parties represented in the legislature. Another 17 members are delegated by various organisations and institutions: one each from the Protestant church, the Catholic church, the Jewish religious communities, the trade union federation, the public employees' union, the civil servants' federation, the employers' association, the craftsmen's guild, the agricultural association, the association of cities, private charity organisations, the sports federation, the consumers' association, environmental and cultural bodies, the youth council, and the association of state pensioners. 9 members are delegated by publishing, cultural, artistic and scientific organisations: associations of writers and theatre staff, the music council, the

journalists' union, the radio, television and film union, the film bureau, the federation of performing artists, the association of adult education centres, and the conference of university vice-chancellors. Finally, one member each is delegated by senior citizens, disabled persons and foreign nationals living in the country.

Apologies for the exhaustive list. It is meant to illustrate one way of trying to make the board as representative as possible. Looked at more closely, it also shows that members in this case are drawn from three main groups: political parties, civil society, and professional organisations with an interest in radio and TV.

The downsides of this model are obvious: Such large boards are expensive and decision making processes difficult and time consuming. Perhaps even more importantly, and for good reason, the argument is gaining ground that the board of a really independent public broadcaster should consist of delegates from civil society only. Experience has shown that the two other groups, professional organisations and political parties in particular, have too many vested interests.

Many board members meet regularly (especially in advance of crucial board meetings) in so-called "circles of friends", aligned to the dominant political persuasions. All important decisions are prepared in these circles and voting in the full board itself is often a mere formality. Top posts in the broadcasting corporations are mostly filled according to party affiliation in time-honoured horse-

trading fashion: If the majority on a board happens to be conservative, a conservative will be elected as general manager, the deputy will then be a liberal or social democrat, and so on down the line. This may - and often does - result in a finely balanced and stable equilibrium between government and opposition forces. But it falls far short of the idea that the general public, not their political representatives, should exercise control over the public broadcaster.

When South Africa was liberated, broadcast reformers looked at what was being practised around the world and picked what had worked best elsewhere and was most suited to their requirements. They followed the German principle of broad civil society representation, but deliberately excluded two groups of people: Office bearers with the state or any political party and individuals who have a financial or business interest in broadcasting are not eligible for membership of the board of the South African Broadcasting Corporation (SABC). There was to be no conflict of interests between the broadcaster serving the public at large on the one side and political or economic agendas on the other.

SABC board members are selected following a public and transparent process. The parliamentary committee responsible for broadcasting policy advertises the posts and calls upon all relevant groups in society as well as individuals to nominate candidates. The committee shortlists nominees and invites them for interviews in public hearings. According to a provision in the Broadcasting Act of 1999, "the members of the Board must, when

viewed collectively, represent a broad cross-section of the population of the Republic". The committee finally decides on its list of candidates. This list is published, passed on to parliament for approval and to the President for appointment.

The emerging democracies in South East Europe again built on this and other existing models. Montenegro (part of Ex-Yugoslavia), the first country to reform its broadcasting dispensation, adopted the principle that there should be no political party or state representatives on the board, and no persons with a vested business interest in broadcasting. In one respect though, they found the South African model - hailed as one of the most progressive on the globe - to be still too "political": they felt uncomfortable with the fact that parliament should actually select board members (and, indeed, the appointment process in South Africa is becoming more and more politicised).

In Montenegro now, the procedure is for the speaker of parliament to simply initiate and coordinate the process, calling upon civil society groups or clusters of such groups working in the same field to nominate candidates. If a cluster comes up with more than one name, the one with the most signatures will be appointed. When all 11 members of the board have been nominated, parliament simply verifies their appointment. This system is meant to leave no room for political manipulation. Once appointed to the board, members are by law required to act not as delegates of the organisations that named them but independently according to their own knowledge and conscience.

The 2002 Zambian legislation which established a public broadcaster in that country contains a similar list of exclusions as the one in South Africa or Montenegro. And the selection process, at first glance, appears to be even more protected against any possible political influence. Members of the board are selected not by a parliamentary committee but by a special appointments committee whose members - one each - are nominated by the law association, non-governmental organisations active in human rights work, religious organisations, media bodies and the ministry responsible for information and broadcasting. Board members are then chosen in a fashion similar to that in South Africa: nominations by the public, hearings, and final list to be approved by parliament. The model has one major flaw though: It is the minister of broadcasting who actually appoints the appointments committee and thus retains the power to handpick the organisations allowed to nominate. (In reality this was prevented through quick action on the part of NGOs – they did not wait for the minister to decide but submitted a list of proposed nominees themselves).

Essentials and principles

Reformers in each country will pick and choose whatever selection procedure suits their individual circumstances and previous experiences best, either taking elements from existing models or coming up with their own solutions. The one

essential is that the public broadcaster and its board must indeed be independent.

- 1.** The appointments procedure for governing bodies of public broadcasters must ensure that the risk of political or commercial interference is minimal.
- 2.** A first step to achieve this goal is to exclude from possible membership persons who have vested interests of a political or commercial nature, i.e. office bearers with the state and political parties as well as those with a financial interest in the broadcasting industry.
- 3.** Members should be reasonably representative of society at large and have the necessary expertise to fulfill their duties.
- 4.** The appointments process should be open, transparent and democratic. There are several options for making sure that it is:
 - a.** The parliamentary committee in charge of broadcasting calls for proposals from the public, publishes the names of all nominees, shortlists candidates according to clear criteria, conducts public hearings, and nominates members. The official appointment is either made by the speaker of parliament or the state president.
 - b.** The law provides for a list of civil society groups entitled to name members. The first appointments

procedure will be initiated by the speaker of parliament or any other neutral organ, and all following ones by the board of the broadcaster itself.

- c. To avoid overly large boards, delegates from civil society groups listed in the law form an appointments committee. This will go through the same process of public nominations and public hearings, and appoint the board. The first such procedure could be initiated by the speaker of parliament or any other neutral organ, thereafter by the board itself.

All appointments procedures will be based on the principle that the public broadcaster derives its mandate from the public. The composition of its board must conform to democratic standards: members must be delegated by the public and be broadly representative of that public. And through its board the public broadcaster will be accountable to the public as a whole, not to any political or other masters.

A progressive broadcasting law will stipulate not just that the board is “independent of any state authority” but also that “nobody has the right to influence, in any way, the work of the board”. Where board members are nominated by certain organisations, as in Germany for example, they often regard themselves as delegates of these bodies and thus having to represent their specific interests. In other

(newer) dispensations, such as in South East Europe, they are - more correctly and more in line with democratic tenets - seen as representing the interest of all citizens and being accountable to all of them, not to a particular group only. One article in the Montenegrin broadcasting law states expressly that board members “shall not represent the institutions or organisations that nominated them, but they shall perform their duties independently, according to their knowledge and conscience”, and that no-one, including the nominators, will have the right to give members any “instructions”.

As for political masters: Neither the board nor members of the staff are civil servants. They owe their loyalty not to the government but to their audience, to society at large. And they do not report to a minister or any other executive authority, but directly to the public. In some countries public broadcasters are required to publish regular reports on their decisions and other activities, as well as audited financial reports. In others they are accountable to parliament and report on their work to the appropriate committee.

The public broadcaster will seek to build a close rapport with its audience. Board meetings should, as a general rule, be open to the public (except when personnel matters are discussed). A website should provide regularly updated information on the work done. Through frequent press conferences, public relations work and direct contacts with journalists the public will be enabled to keep track with developments in and around ‘their’ broadcaster. This bond will be the organisation’s most valuable

asset whenever the going gets tough and challenges to its independence arise. The powers that be, in established as well as in newer democracies, will always be on the lookout for opportunities to exert (more) control over the public broadcaster. Any mistake made, any error of judgement on the part of editors or journalists will be pounced on and used as a welcome reason to demand stricter regulation - ostensibly in the interest of the public, of course. Only a strong board, backed by an equally strong and supportive civil society, will be able to successfully fight off such attempts.

Qualifications and duties of the board

Once appointed, members will serve for a term of office as set by law – anything between three to six years is international practice. They can only be dismissed by the appointing body under clearly prescribed circumstances, for example if they have become office bearers with the state or a political party or involved in the broadcasting industry. Other reasons might be failure to perform their duties for longer than, say, six months. Such strict rules are meant to protect the continuing independence of the board. By the way and just in case anyone might get the wrong idea: board membership is a part-time activity, not a paid job. Members meet every few weeks or months to decide on the issues before them.

There has been little mention of qualifications yet - apart from board members needing to be able to

think and act independently. Obviously as a whole the board should have some expertise in the areas they are going to deal with: technical, legal, editorial, ethical and practical. It will certainly help if some of them know how a news room works or what amount of preparation and resources go into a live outside broadcast, for example.

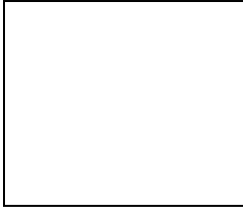
More importantly, board members must have a good grasp of the society they live in and represent, of the diversity of people's needs and problems, hopes, interests and aspirations. Making sure that the public broadcaster does indeed provide an open forum for all of these does not require a collection of highly qualified technocrats but above all people with an open mind.

The duties of the board are basically twofold: Internally to appoint, give (general) direction to and supervise the management, and externally to defend the public broadcaster's interests and shield it from any outside interference or attempt to compromise its independence - give the management, editors, journalists and other employees cover, to put it bluntly, so that they can get on with the job without wasting time on continually watching their backs.

One thing must be quite clearly understood (which does not always seem to be the case, again not just in young democracies): Boards are not meant to meddle with the actual broadcasting. They appoint the management they trust and leave them to run the show, together with their staff and according to their professional ethics. They do not get involved in

the day-to-day work, they do not demand to be kept informed on every little detail, above all they do not interfere in editorial decisions. Their purpose is not to strangle but to strengthen creativity and innovation. Just like they see to it that the independence of the organisation as a whole is respected, so they in turn will respect the editorial independence of the staff.

As in any successful organisation, board, management and staff are in the same boat and can only float or sink together. There needs to be a relationship of trust among them and respect for each other's work. Boards are not Big Brother of whom broadcasters live in constant fear, but rather big brothers and sisters in the sense of being their first line of defense against any attempts to hamper their work or curtail their independence. Staff should be encouraged to inform the board about such incidents and be confident that they will be taken up and suitably dealt with on their behalf. In this way the board will act as a vital buffer zone between outside interests, brought to bear from any quarter, and the duty of broadcasters to discharge their job of informing the public freely and fully and without fear or favour.



4. Funding

Being controlled by an independent body is one thing. Being properly and independently funded is another. Both conditions need to be in place if the public broadcaster is to be true to its name.

The discussion on funding goes beyond merely answering the question where the necessary money is supposed to come from. The way in which funding is provided is likely to influence both the organisation and the programming of public broadcasters. Managers and journalists are well aware of who ultimately pays their salaries - viewers and listeners, the government, the advertising industry - and they are likely to act accordingly.

The African Commission on Peoples' and Human Rights' in its Declaration on Freedom of Expression says:

“Public broadcasters should be adequately funded in a manner that protects them from arbitrary interference with their budgets”.

This demand addresses two important concerns. Firstly, funding must be “adequate” for the organisation to fulfil its public mandate. In other words: public broadcasters can not operate on a shoestring budget but must be provided with sufficient resources if they are to successfully discharge the wide variety of duties and tasks expected of them. And, secondly, funding must be organised in a way that safeguards the public broadcaster’s autonomy against any influence brought to bear by outside forces - be they political or commercial.

Traditionally, public broadcasters were, by definition, funded by public money – either in the form of licence fees to be paid by the audience or state grants. However, increasing financial constraints on governments have led most countries to practise or at least consider a combination of funding options, including advertising and voluntary donations. At present there are a number of tried and tested mechanisms in place: licence fees, state funds, levies on commercial broadcasters, levies on services (for example electricity or telephone), sponsorships, donations, or a mix of some or all of these sources.

The BBC and the Japanese NHK are in the main funded by licence fees only, fees paid by all owners of TV and/or radio sets. The public broadcasters’ revenue in Germany, Italy, the Netherlands, France and South Africa derives from a mix of licence fees and advertising. In New Zealand, public broadcasting is funded mainly by advertising, in Australia and Canada by a government grant, and

the US Public Broadcasting Service survives both on donations from individuals and groups and a government grant.

Let's look at these funding methods in some more detail, using the African Commission's demand as benchmarks.

Donations from individuals and groups

The dependence on voluntary donations as practised in the United States has fostered a target group type of public broadcasting which lacks universality of audiences and programme contents, and serves mainly elites with the money to spare for such donations. Such funding would hardly be "adequate" in Africa, as demanded by the African Commission, and would not enable public broadcasting to hold its own against the competition of commercial services.

Licence fees

Licence fee funding has been associated with good quality and diverse programming. It is a completely independent source of revenue and establishes a direct link between the public broadcaster and its viewers and listeners. Programme producers are aware that it is their audience that pays them for their work, and audiences feel entitled to demand that the broadcaster deliver value for money. Of course such a fee will be widely acceptable only if the service is indeed perceived as a truly public one. If not, it will be seen as just another, burdensome tax. In most countries with public broadcasters,

public acceptance of the broadcasting fee, as reflected in the number of people who pay up voluntarily, is relatively high. Even in South Africa, where memories of the SABC as a state propaganda machine are still fresh and more than 50 % of the people live under the national poverty line, the “piracy level” at present stands at only 32 %.

Licence fees, then, would seem to be the ideal solution - in an ideal world, that is. In real life, they have a number of drawbacks.

Firstly, people may not be able to afford payment at all. This is true in large parts of our continent. Even in supposedly rich countries several categories of listeners/viewers are exempt from payment for social reasons, for example if the household income does not exceed a certain level, or if a person is disabled, unemployed or retired. Such exemptions could be difficult to implement correctly and fairly.

Secondly, the process of collecting fees from every single household is a major organisational feat. Worldwide, there are several options. Fees could be collected by the broadcaster itself, or by an agency set up for this purpose by the service, as it is done in Germany. This, however, means spending urgently needed money on the establishment of yet another bureaucracy. Alternatively, public authorities such as the revenue service could be in charge of fee collection, as is the practice in France and Belgium. In other countries, such as Greece, Turkey, Egypt, Algeria or Morocco, a levy in the form of a certain percentage is added on to all

electricity bills as a broadcasting fee. In Poland, Hungary, Montenegro or Italy a similar levy is payable on telephone bills, or owners of a vehicle with a radio pay an additional charge on their vehicle tax. These systems are easy to administer and socially just.

Thirdly, the licence fee can not be imposed by the broadcaster on its own. As a mandatory fee, it needs to have a legal basis. The amount payable must also be approved by some public authority, for example parliament or the competent minister - and in this way the public broadcaster could become dependent on the goodwill (or otherwise) of the state.

There are mechanisms though to help avoid such dependency. In Germany, an independent panel of experts adjusts and determines the amount payable by listeners and viewers every few years and recommends these for adoption by the legislature. The public broadcasters list their perceived needs to this panel, the experts make their own assessment and then come up with their recommendation. Politicians do try to intervene in the process, seeking to discipline public broadcasters by having lower amounts awarded, but by law they can only reject the panel's recommendation if it is not "socially acceptable". In some South-East European countries the setting of the fee is left to the independent broadcasting regulator.

Finally, the level of the fee has to remain affordable for the broad majority. And given the costs involved in the technology-intensive field of broadcasting,

and the need for public broadcasters in particular to provide a high quality service, it is usually impossible to cover all their financial needs exclusively through fees.

Taking the African Commission's principle as a benchmark, the fact is that licence fees alone will not provide "adequate" funding as envisaged. Also, while licence fee funding makes undue influence from the commercial sphere almost impossible, it still leaves openings for political pressure as long as the amount payable is not determined by an independent mechanism that guarantees predictable and stable financing not subject to the mood of government or economic fluctuations.

Advertising and sponsorship

While public broadcasters still enjoyed monopoly status they were able to cover a large proportion of their funding needs through the sale of relatively little advertising time. With the advent of commercial broadcasting, the market for TV and radio ads expanded rapidly. Advertisers now have a much wider choice of outlets, but not necessarily bigger budgets. With the cake having to be cut into smaller slices and shared among more recipients, they often prefer the commercial channels that deliver more precisely defined target groups. As a result the proportion of advertising income in the overall budgets of public broadcasters has generally decreased. In Germany, for example, the first public TV channel ARD reported a drop from 15 % in the mid-1980s to 5 % today. For the second channel - ZDF - the figure went down from 40 to 10 %.

In a way this could be a blessing in disguise for public broadcasters. Dependence on revenue from advertising endangers their uniqueness and the breadth and depth of their programming. They will be under continuous pressure to achieve high audience ratings among those groups of consumers that are of interest to advertisers. Preference will be given to popular and relatively cheap mainstream programmes such as soaps, while neglecting difficult or controversial topics or formats or offerings for certain age groups (such as elderly people) or minorities. “The higher the advertising figure as a proportion of total revenues,” a study commissioned by the BBC on the situation of public broadcasters in 20 countries found, “the less distinctive a public broadcaster is likely to be”. There will be less and less to distinguish them from commercial operations and they are in danger of digging their own graves: people will start asking why they should be entitled to any public financial support at all.

But to be realistic again: Public broadcasters in Africa will for the foreseeable future not be able to enjoy the luxury of offering ad-free programming such as the BBC, for example, or public broadcasters in Scandinavia. They will depend on selling airtime. And the possibilities to do so will shrink - not only due to competition from commercial services. To protect the private sector, broadcasting regulators all over the world have introduced restrictions on advertisements flighted on public services, either by limiting total advertising time per day or per hour, or by banning advertising on Sundays and public holidays, for example. Sponsorships may also be restricted in regard to

children's programmes, documentaries or religious programmes.

There are also other necessary restrictions that apply to the public broadcaster. "Public revenue" from fees for example must be strictly separated from "commercial revenue" from advertising. Public revenue which is justified as a source of income for the operation of public services must never be used to fund activities outside the public mandate.

This is why many public broadcasters have set up separate legal entities to be in charge of their commercial activities: they sell airtime on behalf of the service, deduct their costs and then transfer the profit to the broadcaster's coffers as a cross-subsidy for its public functions. In South Africa, the SABC has just recently split into two completely separate arms - one public, one commercial. The commercial radio and TV stations will operate as enterprises intended to make money, and only the stations designated as 'public' are to fulfil the public mandate. It remains to be seen whether and how the distinction between the two very different functions under one roof can be justified and maintained in practice.

Going back to our benchmark again – the Declaration on Freedom of Expression. Income from advertisements and sponsorship will not be sufficient to provide "adequate" funding, and it opens up the public broadcaster to pressure from commercial interests.

State funding

This is a bitter pill to swallow for the friends of public broadcasting, but in many African countries there will be no other way than subsidising the service to a certain extent from the public purse. The EBU argues that because a democratic state has a constitutional obligation to guarantee broadcasting freedom, it must therefore ensure sufficient funding for public service broadcasting. But we are all aware that if the state holds the purse strings it will be tempted to exert undue influence even over the supposedly independent public broadcasters' programme policy and content. The state may also find it hard to spare the money: Funding the service - totally or partly - from its coffers means having that much less available for other activities. If there are no proper controls in place, the broadcaster will thus be exposed to the vagaries of changing policy objectives and priorities.

There is yet another disadvantage of state funding. As long as the income of the broadcaster derives mainly from the state budget, the organisation is likely to be regarded as on a par with other state companies regarding conditions of employment or remuneration. For example, the broadcaster may be bound by a state salary structure quite unsuitable to a creative and competitive environment.

To avoid such insecurity and the possibility of state interference the broadcasting law could provide for an independent commission, tasked to establish the needs of the broadcaster and then recommend to parliament a certain budget vote to be dedicated for

public broadcasting for a certain period of time, and to be cost- and inflation-adjusted.

Another solution could be to oblige the state by law to finance certain activities. In South-East Europe, for example, the state finances programming in the area of science and education development, development of culture as well as programmes for minorities. The state and the broadcaster negotiate and conclude a contract on the amount to be provided, with the legal proviso that this must not influence the editorial independence and autonomy of the public broadcaster.

The state also covers the transmission costs of the public broadcaster - an uncontroversial item of expenditure which leaves hardly any room for political manipulation. The political reasoning is obvious: the state has the obligation to provide citizens in the entire country with broadcasting services - in line with the right to universal access. The same argument could be made for the duty of the state to assist public broadcasters with the necessary investment in new technologies, say the transformation from analogue to digital signal distribution, likely to be beyond the means of even the most cost-efficiently run operation.

While these may be possible ways of limiting its negative effects, state funding by itself, when measured against the African Commission's benchmark, comes out as probably the least desirable option. Given the many demands on limited state budgets in our region, it will never be "adequate" for an operation that wants to fulfill the

obligations of a truly public broadcaster. And it leaves the door wide open for governments to compromise the independence of the service as long as there are no sufficient safeguards against such interference.

The middle way

What to do then? Licence fees are difficult to collect, too much advertising could destroy the character of the public broadcaster, funding from the public purse creates dependency on government. The logical way to go, therefore, seems to be a mix of income from all three sources, well balanced so as to derive the maximum benefits and avoid the inherent dangers. This is the pragmatic option followed in most countries. The question of how best to arrive at the proper mix and in a manner best suited to conditions in Africa was discussed during a high level conference attended by broadcasting regulators, national and commercial broadcasters, parliamentarians and experts from Southern Africa in Maputo, Mozambique in September 2004. The conference looked at a number of options, broadly in agreement with what has been outlined so far.

- Licence fees. They should be set by an independent broadcasting regulator, or, if this is not possible, by parliament on the advice of an independent panel of experts. The amount should be fixed for a certain number of years, say three, to allow for stable funding, and be adjusted in line with inflation. Fees could be collected as a levy

on electricity or telephone bills. One could think either of an equal amount payable by all or a percentage (up to a ceiling amount to be determined): those who spend more on power and phone calls will also pay (and obviously be able to pay) higher licence fees. Such a method would be socially just, and people without electricity or fixed line telephones - usually the poorest sections of society - would be exempted from payment altogether.

- Advertising and sponsorships. This source of income remains necessary and should be managed in a way that has the least impact on the character of the broadcaster as a public service and does not come at the expense of people's right to information, education and entertainment. Self-imposed restrictions, such as limitations on advertising time or the exclusion of unsuitable sponsorships for specific programme categories, may be advisable.
- Public funds. (This is the more correct, and perhaps less offensive, term - after all the state would not have any funds at its disposal if they were not provided by the tax-paying public.) The government should guarantee universal access to the public broadcaster by funding its transmission costs. In addition, the state could be obliged to fund certain public interest programmes in the fields of education and culture as well as for minorities. Safeguards must be put in place to ensure editorial independence. The

contribution from the public purse should be determined on a regular long-term cycle by a panel of experts. Its recommendations must be socially acceptable and can only be either accepted or rejected by parliament or the independent regulator, not be amended. Where parliament allocates funds, these must be payable directly to the public broadcaster, without any possibility for the executive to interfere in the process.



5. From state to public broadcaster

With democratic legislation on the mandate and the control of the public broadcaster, with independent funding mechanisms and an independent board in place - this is when the real work of transformation will begin. And there must be no illusions: that work is not going to be easy. Change never is, as we all know, not for the individual and certainly not for organisations, let alone societies.

Habits are hard to break, on all sides, even if all have the best intentions. Broadcasters, used to working within a comfortably confined and closely regulated framework, may find their new, independent role and increased responsibility more difficult to handle than they thought. And the political establishment which, under pressure or voluntarily, allowed new broadcasting legislation to be passed, may only now fully realise what it means to have let go of an important tool of power. This is when the clashes will start, the attempts to regain lost ground through additional regulations, when mistakes will be made - and exploited in order to claim that the new system does not work.

It will need a steadfast board to withstand all such pressures, give firm direction and stay on course. To this end, its first priority will be to develop both an editorial policy as well as a statute and an organisational structure for the newly public broadcaster.

Editorial policy

Some proudly call it a mission statement, others may refer to it more deprecatingly as 'the vision thing'. By whatever name, the new organisation needs to spell out what it seeks to do and do differently from before - both for the public to judge its performance by and for itself, so that all members of staff in their various posts will actively strive for the same goals.

Public broadcasters have a number of special obligations and unique responsibilities, over and above the professional standards outlined in Tool Box 1 and 2 that apply to all broadcasters. They will

- reflect, without bias and as comprehensively as possible, the range of opinions and of political, philosophical, religious, scientific and artistic trends;
- contribute to the development of free and informed opinion and, as such, constitute an important element of the democratic process;
- respect human dignity and human rights and freedoms, and contribute to the tolerance of different opinions and beliefs;

- further international understanding and the public's sense of peace and social justice, defend democratic freedoms, serve the protection of the environment, contribute to the realisation of equal treatment between men and women;
- not discriminate on the basis of gender, race, ethnicity, place of origin, political opinions, colour or creed;
- promote moral values and not broadcast programmes which contain, promote or perpetuate hate messages or any prejudices against any person or group of people which could cause harm.

In addition to the universally acknowledged principles of impartiality, accuracy and fairness these standards and editorial policies will guide the entire organisation from the board to management and 'down' to the youngest trainee. They should be developed and spelt out in an inclusive process in which all members of staff have their say, not just be copied from elsewhere or imposed from above, nicely framed and put up on the office wall or relegated to a dusty file of office rules. Everyone in the organisation must understand them and regard them as their own. Using one's own judgement while working within that framework of values must become the natural thing to do.

This is particularly important - and difficult - in cases where most, if not all employees of a newly public, formerly state broadcaster have learnt their trade in a system characterised by political power play and a climate of obedience to the powers that be.

Changing this mindset will be one of the most urgent tasks in the transformation process. And this is not a theoretical exercise but translates directly and visibly into quality of programme output. Some may find it easier (though perhaps not very satisfying) to simply obey orders or follow standing rules. So the news of the day, for example, will naturally reflect the existing hierarchy: the president is always the first story, then come senior ministers, followed by junior ministers ... (yawn) ... and anything else that might still fit into the allotted slot. If the sequence of stories needs to be determined professionally, that is by judging any item according to its newsworthiness, the job becomes more demanding. Clear guidelines will help to foster independent thinking.

Obviously much will depend on the top level of the administration, the director general, directors, editors and other heads of departments. They must be people of the right calibre, not just in possession of the necessary professional qualifications, but equally personalities able to think for themselves and act responsibly, not in the habit of bowing easily to authority. If the transformation process is to be successful, this will often mean the appointment of an entirely new management team.

Statute and organisational structure

In tandem with the new ethos of the organisation, the new board must give urgent attention to some more mundane housekeeping matters. It will draw up a statute, a kind of basic law for any public

broadcaster. This will deal with basic formalities such as the name and seat of the body and who is to act as its legal representative. It will determine what kind of operations the broadcaster will engage in, its use of funds, internal structure and procedures to take up concerns from the public.

Over and above what might appear to be merely technical matters, the statute will give direction on how the organisation's most valuable asset - its credibility - is to be safeguarded. It will expressly protect the independence and autonomy of programme editors and journalists, within the framework of the overall policy of the corporation and a code of professional standards. Editors or journalists should have the right to demand protection by the board whenever they experience attempts to curtail that independence - from outside or even from inside the organisation.

The statute could also introduce the principle of what is known as a gender mainstreaming policy - a strategy for promoting and achieving the aim of gender equality. This will go far beyond merely creating equal opportunities for both genders within the organisation, but rather ensure that gender perspectives and attention to the goal of gender equality are central to all activities, both with regard to appointment policies and programme content.

Perhaps most importantly the statute will spell out the respective tasks of the various key players (board, director general, directors). A clear division of labour between them from the outset is crucial if much needed time and energy are not to be lost in

turf wars. The general broadcasting law will lay down some broad principles, but the statute has to go into more detail.

The supreme body is, of course, the board. Its role is to supervise, give broad direction and protect. For the day-to-day operations it will - on the basis of a public tender - appoint the right people to the various top posts: the director general and the directors of the various main departments (usually television, radio, support services). Being the representative of the public, the board will also decide on the annual budget.

Many, especially larger public broadcasting services have a management council to help the board with more specialised duties. Such a council, appointed by the board, would consist of experts in the field of management, law and finances as well as a representative of the staff, and would supervise the directors with regard to the administration of funds and assets. It would report and be accountable to the board.

As a priority and to give concrete expression to the principle of accountability, the board will appoint an independent body to receive and process complaints from the audience. Such a public complaints commission will consist of three or five personalities with standing in society, headed by a chairperson. Everyone will have the right to approach the commission and all concerns brought to its attention will have to be dealt with. The statute will spell out the procedure to be followed to check up and decide on complaints: by the chairperson or

the full commission or, in very serious cases, by the board itself.

The pain of transformation

The formulation of a vision and the drafting of an appropriate organisational structure will be the fun part of the exercise. Unfortunately reformers do not have the luxury of starting from scratch. And they are not dealing with plans on paper only but with people. So how do you actually get from where you are now to where you want to be?

There are two likely scenarios: Either the state broadcaster to be transformed is a tiny appendix to the Ministry of Information, little more than a music or movie playing station with programmes and information supplied by the various government departments. At the other end of the scale is a hopelessly over-staffed organisation with overblown hierarchical structures, where jobs and positions have over time been created primarily to accommodate or reward faithful followers.

In the first case, an entirely new structure needs to be put in place, able to discharge the various duties of an independent public broadcaster. This will usually be a costly affair: new staff has to be hired, equipment acquired and new technical facilities like studios constructed. One example of such a new structure, a basic set-up in terms of people and positions required to run an efficient operation, is

described in some detail in the appendix - for those who really want to know.

Probably the more common scenario is the overstaffed organisation. And such overstaffing is usually due to an unholy mix of causes. In the lower ranks there will be many pen-pushing civil servant types, with little initiative or creativity (hazardous qualities in a state broadcaster), jealously guarding their own familiar little patch. Add to this overlapping management structures, unclear lines of command, incompetence of political appointees - and you are bound to end up with much duplication of functions, holy cows resistant to change, fear of innovation and taking responsibility, the epitome of an inefficient, lumbering bureaucracy.

The inordinate number of people needed to get the job done at all may have been tolerated by the state broadcaster and while the state was paying the bills. In a responsible, public organisation obliged to make proper use of public funds it will have to be reduced, drastically - and that is a painful exercise.

Where to start the process? At first the board, together with the new management, will have to decide on the number of radio and television channels to be offered and the kind of programming each of them will carry - the broadcaster's programme policy. This decision will be based on a careful assessment of the existing structures, their cost implications and (most importantly) the needs of the audience.

In countries with limited resources the public broadcaster will usually offer a maximum of two channels each for radio and television. (Where a variety of languages spoken needs to be accommodated the number of radio stations may have to be higher.) The two radio channels will ideally target different age groups: one for the more 'mature' audience from 30, 35 years upwards, the other for younger people. (This makes sense because in radio the mainstay of the programming is usually music, and tastes in music differ considerably between the generations.) If the broadcaster is able to afford two television stations, one of them could appeal to a broader spectrum of viewers and be dedicated to news, current affairs, cultural programmes, and entertainment – from movies and soap operas to quiz-shows and the like. The other channel could carry educational programmes, live coverage of sports and other events, more specialised cultural and information programmes.

On the basis of the programme policy, a new organisational structure has to be developed. Again this will be the task of both management and board. And it will be vital for them to cooperate closely and efficiently in this regard, without being too concerned about possibly trespassing on each other's terrain. In this pioneering phase, when all sides have a lot on their plates and need to juggle many different responsibilities, their prime motivation must be to work out satisfactory solutions for the common good together - and speedily.

With state subsidies cut or petering out and other sources of revenue only coming on stream slowly, the organisation may soon find itself in dangerous, potentially life-threatening financial problems. If it is not to run back to the state for help and thus scupper the whole reform process, it will have to cut down on expenses as soon as possible - and this will almost invariably mean decreasing the number of staff.

The broadcaster might think of hiring a professional business consultancy company to help with the job. Such outsourcing is often found useful because it allows managements and boards to shift the blame for necessary cruelties, in particular retrenchments, on to the outside 'experts' who must be trusted to know best. Experience shows, however, that such consultants, not surprisingly, tend to over-emphasise the business and commercial aspects of the operation and pay little regard to the mandate of a public broadcaster - to serve the public, not to be a successful business. This has been happening in more than one organisation, including well established public broadcasters, which ended up losing their character as a result and offering little more than commercial services under the guise of a 'public mandate' - or would have, if they had indeed taken the experts' advice.

A middle way could be to form a steering committee to drive the reform process, made up of all the stakeholders: selected members of management, the board and the management council, as well as representatives of employees (trade unions). This committee could seek outside advice if there is not

enough expertise available in-house. Such an all-inclusive approach will be pivotal for the ultimate success of the whole exercise.

The committee would start by defining the core business of a public broadcaster. Does that really include running a staff canteen - or could a catering company not provide a better and cheaper service? Security - should that not be looked after by a professional, private firm instead? And closer to broadcasting proper: Does a public broadcaster have to produce each and every programme itself? Keep up expensive studios and other production facilities for the purpose, as well as numbers of producers, technicians, writers, actors permanently on the payroll? And all this while independent television producers may be struggling for economic survival? They often find their work more appreciated at international festivals or by viewers in other countries, while their own audiences do not get to enjoy their products: the national broadcaster does not accept them on its programmes (“we can do that ourselves”) or, on occasion, even demands payment for airtime needed to carry a documentary, for example. The process of transforming the former state broadcaster should also be seen as a chance to develop or kick-start a vibrant local television production industry, able to absorb some of those made redundant by the streamlining of operations within the public broadcaster.

On the basis of a new organisational structure (again, the proposals in the appendix may help in this regard), a new list of essential staff with precise job descriptions for each and every position will be

developed. While many staff members might, theoretically at least, agree that this is the rational and logical thing to do, they will still all hope to make that list and not be declared non-essential or redundant. But in many cases cruel cuts will have to be made if the new entity is to be successful.

Strategies must be devised to soften the blow as much as possible for those who do lose their jobs. Attractive retrenchment packages should be offered to all, while capable staff members that management wishes to retain should be encouraged to stay on. If not enough people accept the retrenchment offer, and provided that labour laws allow for such a procedure, the entire remaining staff could be formally dismissed and everybody be required to reapply. This will enable management to make a positive selection: rehire the best among the former employees and bring in the necessary new blood. Retrenched staff members could be encouraged to set up their own companies and provide some of the services that the new, leaner, organisation will outsource.

Where is the money going to come from, for those attractive retrenchment packages and other costs involved in the transformation from state to public broadcaster? There must be a common understanding - which should also be spelt out specifically and clearly - that the state has an obligation to enable a smooth process. It can not just walk away from the overstaffed and indebted organisation it has created and leave it to the new body to sort out the mess. It must take responsibility for its former employees and hand over the

broadcaster to the public free of debt, so that the new organisation can start with a clean sheet and thus a fair chance of making it.

One last word (or three) about another vital ingredient for a successful transformation process - communication. This might seem like a matter of course, given that communication is the core business of broadcasters. Unfortunately, they are often not very good at doing it on their own behalf.

The new vision, the new structure, the concrete steps (to be) taken, every little success scored on the way, every set-back must be broadly and continuously communicated and explained, both internally and externally. Internally, in order to avoid rumours and gossip taking over in the absence of concrete information, leading to uncertainties, fear and low morale. And externally, because the process takes time, usually more time than most people initially bargained for. Changes may not be immediately visible and the public might get impatient or lose faith in the whole exercise. That must not be allowed to happen.



6. Driving the process

Nobody in authority will consent easily to having that authority, even part of it, removed. Few ministers of information will volunteer to renounce their powers over broadcasting, thus in effect and knowingly begin to work themselves out of their jobs. The pressure, therefore, to make that happen nevertheless must be considerable and sustained.

Conditions at present are generally favourable. Public broadcasting, by definition, has two powerful natural allies: the general public which demands its democratic right to be informed comprehensively and independently, and the broadcasters whose job it is to provide exactly that service. And, in all fairness, even politicians should be credited for being serious about wanting to make democracy work - even if they may need the occasional nudge in the right direction.

This is the time, then, for citizens to start campaigns for broadcasting reform like the one in South Africa in the run-up to the 1994 election, and currently well under way in South East Europe. Such a campaign must be driven by civil society and be based on a

broad coalition of interests: human and civic rights, cultural, professional and political. Strategic partnerships with those engaged in the political decision making processes (political parties, parliament) will be needed to succeed. The pro-reform coalition should seek to lobby and win over all likely partners, but not allow any of them to gain undue influence over the campaign or use it for their own ends.

Once the initial objective - a new broadcasting law - has been achieved, the campaign should not stop but rather change focus and continue by acting as a watchdog over the transformation process and the further development of the public broadcaster. In Canada, such an initiative calls itself "Friends of the Public Broadcaster" - and that is what any public broadcaster needs: principled friends, in it for the long haul, ready to support and defend it against its foes but also to warn and criticise when it strays from the course or performs below expectations.

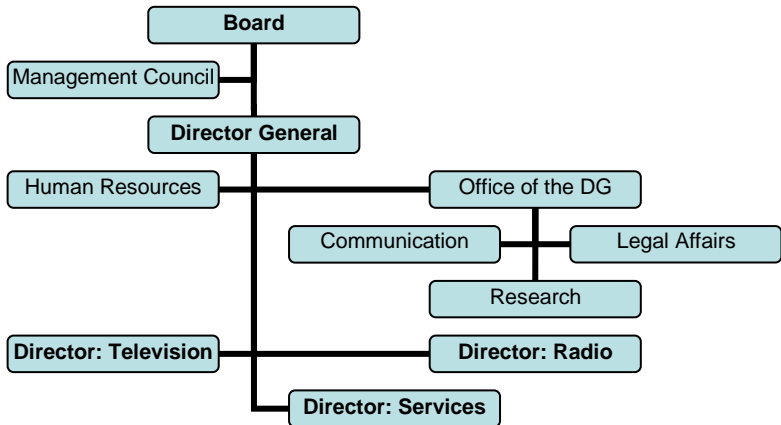
Appendix

Proposals for the internal organisation of a public broadcaster

What is offered on the following pages is meant to give a general idea only, an illustration of what a basic organisational chart might look like. It will have to be adjusted and modified following an assessment of the concrete needs and conditions on the ground. As it is, it tries to find a healthy compromise between much more radical solutions in industrialised countries, where the tendency is towards ever smaller staff numbers (in line with the much vaunted 'lean and mean' business model), and the reality on the continent, where every job lost often means a loss of livelihood for an entire (extended) family.

The plan assumes a public broadcaster with two radio and two television channels. Its prime aim will be to provide quality programming: all departments, be they administrative, technical or editorial will be geared towards this goal and organised purely with a view to reaching this desired outcome.

The main organisational chart



An efficient organisation aims to simplify and rationalise its management systems. Overstaffed structures with too many bosses, all tending to create work for themselves to prove their importance, block rather than facilitate decision making processes. A three-level structure is quite sufficient: supervisory body, director general with support departments reporting directly to his/her office, and three directorates: radio, television and general services - a combination of administrative and technical services.

Supervisory body

The board and the management council need some administrative assistance to enable them to work efficiently and independently from management, e.g.

for their correspondence, organisation of meetings, minutes, invitations.

Director General

In many cases, a personal secretariat with several assistants (preferably female and pretty) seems to be part of the pride and social status of a (male) Director General (DG). In practical terms and in this computerised age this is unnecessary. Both the DG and the departments in the office of the DG should be served by a (small) pool of assistants.

Office of the DG

The communication, legal and research departments are crucial players in the entire operation and therefore located in the DG's office.

The communication department will be responsible for both internal and external communication. Internal communication will comprise the publication of a newsletter for employees (if possible on Intranet), regular meetings with unions and the organisation of feed-back from staff in general. External communication will cover running the broadcaster's website, marketing the programme schedule and its highlights, organising regular press conferences, keeping in touch with editors of other media, maintaining relations with civil society groups and facilitating responses to letters or requests from the audience.

The legal department will assist the DG and the other directors both with day-to-day work such as

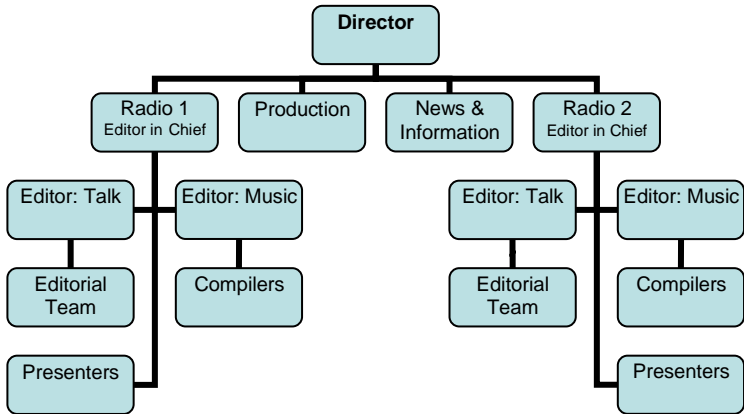
drafts for contracts, copyright issues and the like, and in legal disputes. It will also be available to advise the radio and TV departments whenever legal issues arise. Major legal cases could be outsourced to contracted lawyers to be briefed by the legal department. All of these tasks will usually not require more than one full-time legal professional. Another staff member should be responsible for continuously auditing the financial performance of the organisation and report to the DG.

A research department might appear to be something of a luxury for a not so well-off organisation but is important nonetheless. A public broadcaster should always know what its public wants. Such a department (again a one-person-show is probably sufficient) would commission and supervise regular ratings research as well as in-depth programme perception analysis. In addition, it should brief the top level (board, council, directors) on trends in international media/broadcasting policies and technical developments.

Department for human resources

This is another key department and thus directly answerable to the DG. It will be in charge of planning and organising training for staff in cooperation with existing training institutions. It will develop and run regular staff skills audits and appraisals of staff performance, and assist directors in identifying new talent for recruitment.

Organisational chart of Radio Directorate



This chart reflects the needs of a modern programme schedule: Airtime will not be cut up into many little, distinct boxes, loosely linked by a few words from an impersonal continuity announcer. Instead there will be longer, integrated magazine or variety show type segments on both channels, each presented by a host for a period of say three hours, offering both music and word content in varying proportions. Such a flow of programming with a personal touch makes for easy, entertaining and attractive listening even when more serious matters are being dealt with. Dramas, documentaries and children's programmes can be part of such a mix of offerings. This kind of programming allows for a more efficient use of personnel and a more varied and thus more challenging work experience for staff

members. One might think of having one joint editorial and one joint music team for both channels, but considering that the two will be designed to serve different target groups (Radio 1: 30, 35 years upwards, Radio 2: younger people), staff should be assigned accordingly.

Director radio

The director radio will need only a core staff of one or two assistants: for administration and for the financial supervision of his directorate.

Radio 1

Editor in chief

He/she is in charge of developing, supervising and organising the operations of Radio 1 and be responsible for its output. He/she should/could be identical with the

Editor talk

He/she will facilitate the smooth operations of the editorial team, supervise the talk output and plan and organise major programme projects. He/she will be assisted by an administrator in charge of rosters, programme and honoraria logs, and similar support functions.

Editorial team

The editorial team is at the heart of operations for Radio 1 and responsible for the word content. It is

meant to work as a team. There will be two editors each per shift (morning, afternoon, evening), with a planner being in charge of mid term planning and preparations for weekend programming. Their main tasks are to solicit contributions from other editors or freelance reporters (to be paid per story), to initiate items and to approve scripts/recordings before they go on air. In addition, they will prepare and organise live interviews with guests in the studio or via telephone.

The team will be drawn from a pool of editors with general knowledge or with special skills or experience in the areas of arts and culture, politics, economics, health, children's programmes, science/education and sports. Programme assistants (trainees or students) will provide back-up.

Overall, 15 to 18 editors (general and specialised), 5 programme assistants and 20 freelancers should be sufficient to provide the word content for Radio 1.

Editor music

He/she will procure material and maintain the music library (together with the editor music Radio 2), ensure the payment of royalties, facilitate the operations of the compiler team, supervise and be responsible for the music output, and plan and organise major music programme projects.

Compilers

They are responsible for selecting and lining up the music to be played for each part of the programme.

Presenters

Being the individual face and personal hosts of 'their' programme segment, these must be multi-skilled people with sound general knowledge, able to 'sell' music and entertainment and equally to introduce reports or special items intelligently and conduct live interviews professionally. One chief presenter with the help of an assistant will prepare duty rosters and administer honoraria (most presenters will be freelance, to be paid per shift). 15 presenters are sufficient to cover all slots in a 24-hours programme.

Radio 2

The editor in chief and the editor talk have the same tasks as their counterparts at Radio 1.

Editorial team

Like their counterparts at Radio 1, the Radio 2 editorial team will be responsible for the word content of Radio 2. To benefit from synergy effects, it is assumed that Radio 2 will broadcast a number of Radio 1's items, possibly edited for the target group. Programming between 18.00 and 24.00 will be mainly music shows. Radio 2, therefore, will not need editors with specialised knowledge but rather all-rounders with a passion for radio and a good grasp of what it can do. They will select contributions from Radio 1, solicit pieces from

specialised editors at Radio 1 and freelancers and organise live items such as studio or telephone interviews. As such a 'young' programme should contain more entertaining features, some in the team should concentrate on developing ideas for interactive radio geared to meet the demand of younger, hipper listeners - games, quizzes, plays, competitions. Programme assistants will help with operations.

All in all, Radio 2 would need about 8 - 10 editors, 2 people to develop entertainment features, 12 freelancers and 4 programme assistants.

The editor music, the compilers and the presenters will have the same responsibilities as their Radio 1 counterparts.

Common services for Radio 1 and Radio 2

News & current affairs

Head

The head of this department is responsible for the smooth operation of his/her department as well as the content of all news and current affairs programmes. He/she will consult with the heads radio on suitable new formats to be developed.

News

As radio is the major source of information for the majority of people, it is assumed that there will be

joint news on the hour every hour from 6.00 to 23.00 on Radio 1, and from 6.00 to 18.00 on Radio 2. If the stories are mainly sourced from agency material, the news team, working in shifts, could be kept rather small. If inserts or sound bites are to be included additional staff is necessary. Ideally, editors should be able to double up as news presenters.

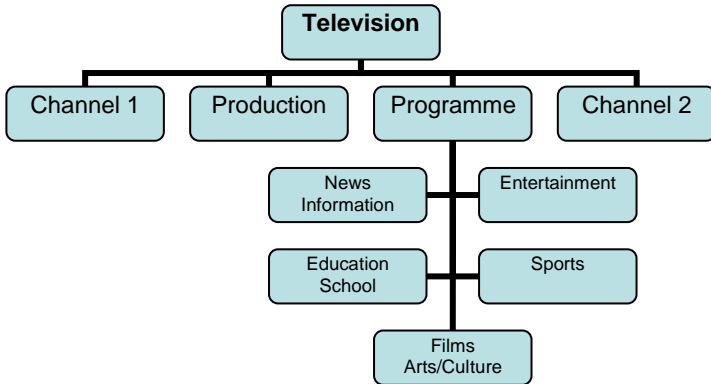
Current affairs

A small team of editors will offer coverage of events as they happen to the editorial teams of Radio 1 and Radio 2 for inclusion in their programmes. They will cooperate closely with television news for possible sound bites. For special radio contributions they will rely on freelance reporters.

Production services

In traditional broadcasting set-ups production services are provided by a separate technical department. In the age of computer-based work stations for editing some of this work will be done by the editorial teams and reporters themselves. (Computer editing might sound like a very costly option, but the initial investment will be recovered quickly through savings on the salary bill). Technicians and engineers will then be able to concentrate on maintenance work, serve as assistants to reporters and editors and undertake major recording or production projects. A technical staff of 12, working in shifts, should be sufficient for both channels.

Organisational Chart of Television Directorate



The chart assumes that there will be two television channels. Any responsible public broadcaster must consider carefully whether it really has enough funds at its disposal to offer two TV outlets. When in doubt, the interest of the public will probably be better served by putting all available resources into one channel and thus providing a real quality service.

If the broadcaster decides in favour of two channels, the basic idea should be to combine the editorial teams for the various genres. One team will be in charge of news and other information programmes, while the others will mainly commission productions from independent companies or buy suitable material on the international market. In-house productions will - over time - become the rare

exception. While not in use, existing production equipment and studios could be rented out to independent producers.

Director television

As with radio, there will be just a core staff of assistants: one for administration and the other for the financial supervision of the directorate.

Programme

This department is the heart of the TV directorate, in charge of producing/commissioning all programmes.

Editor in chief

He/she will cooperate closely with his/her counterparts in the two channels and supervise the operations of the various programme units. In addition, the editor in chief will execute and supervise tender processes for outside productions and purchase material on the market.

Production/commissioning units

The units will produce programmes as requested by the editor in chief, prepare tenders for work to be commissioned and suggest material to be produced. With less and less in-house production, fewer editors/producers will be needed.

The biggest unit will be news & current affairs, where the bulk of material will be produced in-house. The unit will be headed by a senior editor.

The editorial team news will compile bulletins for both channels and consist of a senior editor, editors, an editor international news (mostly sourced from international news channels or services), reporters (partly freelance), correspondents in various parts of the country as well as presenters/interviewers.

The editorial team current affairs will produce items for both channels and be in charge of current affairs shows, magazines, debates, documentaries, live broadcasts (parliament, for example) and special programmes.

The other units will look after entertainment shows, educational programmes/school television and sports coverage. There will also be a unit in charge of purchasing/commissioning movies as well as cultural and arts programmes.

Channels

Each channel will be headed by an editor in chief responsible for overall output, developing and adjusting programme schedules, and initiating and supervising innovative change. They will be assisted by think-tanks of creative editors who will develop and realise new programme ideas and formats in conjunction with the programme department.

Production services

As is the case in radio, the technical support services for the production of programmes should be placed under the television directorate.

Services directorate

This directorate is responsible for rendering general services to both radio and television. It will have two departments:

Administration

To be in charge of personnel (contracts, salaries), general finance as well as general management tasks.

Technical

Responsible for the maintenance of all technical equipment, for transmission infrastructure, information technology systems and all other technical requirements.

In many public broadcasting organisations marketing, i.e. the sale of airtime to advertisers, is left to a separate legal entity fully owned by the organisation. In this way, a clear-cut separation between the two revenue sources - public (fees and grants) and commercial (from advertisements and sponsorships) - can be made: the public revenue will be administered by the broadcasting operation itself and the commercial revenue is raised by the separate business unit, with the profits paid out to the mother organisation.