The Cartel Phenomenon – How Media Ownership Impacts Diversity and Quality of Content: The Case of Botswana.


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1. Introduction

C. Edwin Baker contends that the media, like elections, constitute a crucial channel between public opinion formation and state will formation.¹ He concludes that a country is democratic only to the extent that the media, as well as elections, are structurally egalitarian and politically salient.² The media in a democratic polity must facilitate fair public discourse that is not compromised by partisan interests of the owners. It is for this reason that it is now widely accepted that a free and independent media is an indispensable component of democracy. Diverse political views and opinions, reflecting as far as possible the variety of opinions held by the citizenry, should be freely debated in the media. Diversity in the media refers to all those measures that ensure citizens’ access to a variety of information sources and voices, allowing them to form opinions without undue influence of one dominant opinion forming power.³ These measures include, among others, ownership control rules, content requirements, the guarantee of editorial freedoms and the professional situation of media workers.⁴ The 2014 Freedom House report on freedom of the press observes that in the last decade, there has been a worrisome global decline in media freedom mainly attributed to a desire by some governments and media owners to control news content.⁵ This paper examines how media ownership impacts diversity and quality of media content in Botswana.

2. Impact of Commercial Pressures on Media Content

Although the media play an important constitutional role in democratic societies, it is a truism that media companies, especially private media, are in essence commercial ventures from which the owners generally expect some return in the form of profits. The quest for maximising profits in the media is gradually leading to concentration of ownership. This concentration is evident in both

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² Ibid.
⁴ Ibid.
horizontal and vertical concentration and cross-media ownership. This development is justified by the perception that it makes economic sense in terms of synergies. Concentration of ownership in the media results in fewer voices and arguably less diversity of media content. It has been argued that media companies generally sell their media product to the audience while selling the audience to advertisers.\(^6\) Advertising is arguably the lifeblood of private media as it is an important source of revenue for the sector. Unfortunately, over reliance on advertising revenue for the private media comes at a cost as news media outlets find themselves under pressure to provide content that will deliver affluent audiences to advertisers. The commercialisation of media content in the pursuit of commercial imperatives thus plays a significant role in determining media content. The media’s reliance on advertising revenue also makes them vulnerable to censorship and self-censorship by major advertisers. Advertisers may use their economic leverage to induce the media to mute critical reporting thereby undermining the media’s watchdog role in a democracy.

In Botswana, the commercialisation of media content has resulted in the private media providing content that mainly caters for the needs of the middle to upper income rural audiences neglecting the needs of poor, mostly rural audiences. This is testimony to the argument that media content is generally aimed at delivering audiences to advertisers. The public sector is an important source of advertising revenue for most private newspapers accounting for up to 40 per cent of their total advertising revenue.\(^7\) In 2001, the government ordered an advertising ban by the public sector on some newspapers which it felt were too critical of the government. The advertising ban was subsequently declared unlawful by the High Court. However, there is a perception that since then, the papers have toned down their criticism of the government. Commercial interests of owners thus impact on media content in a subtle way as news media outlets are more likely to avoid content that may alienate them from major advertisers.

The threat posed by reliance by the private media on advertising revenue on diversity of content is difficult to address. In free market economies, owners have the freedom to determine the strategic direction of their companies, including exploiting available commercial opportunities so that their entities remain competitive. This may clash with the media’s democratic mandate where commercial interests of the owners take precedence over the public interest. The critical question is: how many media owners will be prepared to antagonise major advertisers in a way that could have catastrophic commercial consequences on their media outlet in order to serve the public good? It is a fact that not all news media outlets operate on purely altruistic grounds. The African Media


Initiative’s Leadership and Guiding Principles for African Media Owners and Managers attempt to address this dilemma under the principles on employer/employee obligations and professional conduct. The Guidelines require that owners should protect journalists against pressure from advertisers and that owners should enforce editorial integrity by clearly making a distinction between editorial content and advertising content. Can the Leadership and Guidelines Principles work in practice to protect news media outlets against commercial pressures from owners in determining content? I lament the absence of clear implementation strategies of the Leadership and Guidelines Principles on how in practice the media will be insulated against commercial pressures.

3. Impact of Political Pressure on Media Content

The constitutional value of the media goes beyond the financial interests of the owners and the freedom of expression of the owners and editors. Media freedom implies that the public should have a right to a free media system that provides diverse and well balanced information. Diversity of media content does not imply complete neutrality or lack of opinion on the part of a news media outlet. Media freedom, however, requires that media content should not be unduly determined by the political affiliations or personal ideologies of either the owner or editor. The Freedom House report on press freedom observes that press freedom in a number of countries is threatened by private owners, especially those who with close connections to the government or ruling parties, who often change editorial lines to suit the interests of their political allies. It will be equally bad for editors of news media outlets to alter the editorial line of their outlets in order to promote their political views or those of their allies.

The threat of the political interests of either the owner or editor unduly influencing media content can be mitigated by news media outlets adopting and enforcing editorial independence. Editorial independence requires a firm separation between a news media outlet’s editorial and business functions and maintaining the independence of journalists. The personal or political views of the owner or publisher should not interfere with the day-to-day news content of a news media outlet. Furthermore, news media outlets should adopt and enforce editorial policies or charters that outline their editorial responsibilities, including their aims and values. The editorial policy or charter should vest in the editor the power to decide what to cover and how to cover it. In exercising their editorial independence, an editor should be guided by the news media outlet’s aims and values as outlined in

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the editorial policy or charter and professional ethics. The separation between ownership and editorial functions will insulate a news media outlet against undue political pressure from the owner and editor in determining content.

The editorial independence of editors from publishers or owners of news media outlets in Botswana is a matter that is regulated through self-regulatory mechanisms in each of the media outlets. At a general level, there appears to be a consensus among editors and station managers of media outlets that media owners recognise the principle that editors ought to have the power to decide on editorial matters free from interference from the owners. However, the practices on how editorial independence is guaranteed in the individual news media outlets differ. In a few media houses, editorial independence is formalised through editorial charters or policies. Editorial independence in some of these news media outlets is further reinforced through the establishment of editorial committees which are sub-committees of their respective governing boards. The editorial committees oversee editorial matters and advise the respective boards on editorial issues. The strength of these editorial committees is that the majority of the members are not shareholders, but persons who have experience in the media and others drawn from civil society. These committees provide the much needed insulation to the editorial teams of the respective news media outlets from any undue pressure by the owners and also hold the editors accountable to the news outlet’s aims and values and professional ethics.

Editorial independence in most news media outlets is however governed by what one may call ‘a gentlemen’s agreement’ based on an understanding that editors ought to enjoy editorial freedom. While this may arguably be working in practice, the arrangement faces some challenges arising from the following:

a) In some media houses, the owners are also the editors. There is therefore no separation between ownership and the editorial;
b) In other media outlets, the editorial is directly supervised by the board of directors which are mainly composed of owners. In such cases, the editorial is not sufficiently protected against any undue interference by the owners as failure to agree with the owners may have catastrophic consequences.

The undesirability of the direct involvement of owners in the supervision of a media outlet’s editorial can be illustrated by a recent case that happened at Duma FM, a private radio broadcaster. A sports commentator who is also a parliamentary candidate for the main opposition party in the forthcoming general election was dismissed from his employment. Although the station refused to
disclose reasons for his dismissal, it is believed that he paid the price for contesting against a close associate of the station’s owners.\textsuperscript{11}

The editorial independence of the majority of news media outlets in Botswana is not adequately protected. In some outlets there is no separation between ownership and editorial. And yet in others, the owners exercise direct supervision over the editorial. These antecedents make it easy for owners to influence media content for purposes of advancing either their political or commercial interests. In the broadcast media, however, this concern is ameliorated by the provisions of the Broadcasting Regulations, 2004, which requires licensees to report news and information accurately, fairly and impartially.\textsuperscript{12}

The Leadership and Guiding Principles comprehensively deal with the issue of editorial independence under the principles of transparency and professional conduct. The principles require, among others, that news media outlets should declare their editorial policies and promote a culture of editorial independence. If all news media outlets in Botswana could embrace the principles, this will go a long way in enhancing both their democratic mandate and credibility.

\textsuperscript{11} See ‘Rkgare sacked for challenging Masimolole’ \textit{The Voice}, Friday February 7, 2014, p. 6.