UNEVEN LIBERALISATION IN SOUTHERN AFRICA: CONVERGENCE AND DEMOCRACY IN COMMUNICATIONS POLICY

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Abstract

Technological convergence between telecommunications, broadcasting and computing has become a central object of communications policy initiatives worldwide. This paper explores the implications of the associated shift towards prioritising industrial and competition policy imperatives over those of cultural policy in the context of processes of democratisation in Southern Africa during the 1990s. It examines the institutional mechanisms by which national regulatory regimes have been adjusted according to the dictates of market liberalisation promoted by international agencies (including the WTO, IMF, and World Bank), and mediated by regionally-based agencies (such as the Southern African Development Community). The paper explores the emerging tension between two philosophies of regulatory independence: a market liberal approach which prioritises transparency and independence as a condition of attracting inward foreign investment, and which endeavours to shield communications regulation from democratic oversight; and a radical democratic approach, which privileges the role of communications in the cultivation of freedom of expression and the extension of political participation, in which regulatory bodies are seen as necessarily independent of direct government control but remain responsive to pressures from civil society. The contested politics of regulatory convergence in Southern Africa are illustrated by reference to recent changes in regulatory policy in South Africa, and the extent to which the South African experience is being generalised through structures of regional governance is critically examined.

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The Rhetoric and Reality of Convergence

Historically, broadcasting and telecommunications have developed as separate industries, based on distinct technological platforms, and subjected to different regulatory regimes. My starting point is the assumption that, whatever else it might entail, "convergence" has become an object of a set of discourses circulated through international networks of policy-making, one closely tied to other favoured categories of our times such as "globalisation," "the information society," and the "information superhighway." Narratives of the inevitable technological blurring of previously distinct communications media are spun by corporations, politicians, policy-makers, and academics in an attempt to impose a clear direction to what remain a highly uncertain set of processes. The mainstream position on convergence holds that technological convergence between previously distinct sectors necessitates a particular policy and regulatory response, reducing the discretion of regulators and requiring the role of policy to be re-ordered towards the promotion of competition and ensuring the proper functioning of markets. In the United States, for example, there has been strong pressure for the abandonment of distinctions between broadcasters and common-carriers which have conventionally underwritten public-interest regulation of the former. At the same time, however, recent Supreme Court decisions on cable television and Internet have indicated that the apparent inevitability of certain policy scenarios remains contingent on highly contested political processes.

Africa provides a counterpoint to the assumptions about economy, society, and politics that often govern standard discussions of convergence in the North. The very low levels of existing telecommunications infrastructure in much of the continent suggest that a pause for thought is required before embracing the rhetoric of information abundance, expanded choice, and the end of scarcity that accompany discussions of convergence. However, the low density of existing infrastructure and the absence of independent regulators until the 1990s also means that African countries are potentially in a position to develop innovative policy and regulatory scenarios which integrate the implications of convergence into the establishment of new institutional frameworks. Here, I want to explore two broad issues. The first is the relationship between the development of the telecommunications sector and the restructuring of broadcasting in a period of rapid political change. The emergence of multi-party democracies in various countries in Africa and a burgeoning of political pluralism are associated is associated with the transformation of government-controlled print and electronic media (see Bourgault 1995). But this relationship is also related to a second theme, namely the re-organisation of the scales at which economic processes are governed. Another aspect of the narratives of convergence presents a scenario in which national sovereignty over communications regulation is being progressively undermined by the development of supra-national agencies and agreements, such as the European Union, the North American Free Trade Agreement, and the World Trade Organisation (WTO) which are increasingly assertive in setting the terms for the development of communications infrastructures within in any given national territory. Moves towards the harmonisation of regulation and policy for telecommunications raises a set of practical and conceptual issues regarding the contemporary re-articulation of the spatial scales of economic activity and political jurisdiction (see Swyngedouw 1997). International agencies such as The World Trade Organisation (WTO), the International Monetary Fund (IMF), and the World Bank mediate a hegemonic neo-liberal orthodoxy of market liberalisation and regulatory change to national governments in the South. A significant degree of external pressure over policy in Southern African countries can be exercised because of the high degree of external dependence of African national economies on foreign investment, foreign aid, and debt-related packages for their continued economic viability. In the African context, the question that arises is whether technological convergence in communications is a force leading inevitably towards the regional integration of markets, policy, and regulation. In fact, the operations of World Bank and IMF structural adjustment programmes and stabilisation policies continue to privilege the national scale of policy and economic organisation, and are often poorly co-ordinated with efforts at regional integration developed by the African Development Bank or the South African Development Community (SADC) (Mistry 1996, 166). Contrary to conventional wisdom regarding the necessary decline of the nation-state in the face of globalisation, the internationalisation of markets, policy and regulation often depends upon the continued saliency of national scale institutional frameworks.

My discussion here explores some of the tensions between explicit moves towards the harmonisation of regulatory and policy regimes for telecommunications development in Southern Africa, driven by internationalised policy-discourses of the inevitability of technological convergence, and the continued force of national institutional fora and national political processes in shaping the actual implementation of apparently uniform agendas of liberalisation, commercialisation, and privatisation. I begin with a consideration of the agenda for communications development established by international agencies such as the WTO and the World Bank, before considering recent steps towards developing regionally integrated telecommunications policies and markets in Southern Africa. I will then consider the continuing force of national economic, political and institutional factors mediating these supra-national agendas for regulatory reform, using the examples of South Africa and Zimbabwe. These examples indicate that processes of liberalisation of communications are highly uneven in their extent, both geographically and sectorally. They also illustrate the contours of a contested politics of "independent" regulation, which turns upon different models of relationships between regulation, communications, and democracy.

Re-scaling Telecommunications Markets and Regulation

With the end of apartheid and the incorporation of South African into the SADC[1], an observable trend has emerged towards regionally integrated approaches to telecommunications development. The impulse towards regional co-operation in communications policy comes from two directions. Firstly, given the low-level of existing telecommunications infrastructure in all countries of the SADC region, the level of capital required to invest in advanced technologies is massive, and likely to be beyond the reach of most national governments. Secondly, there is an absence of institutional and managerial capacity required to regulate effectively telecommunications industries being opened-up to competition and private investment. In principle at least, regional co-operation between national governments and national telecommunications operators therefore offers, in principle at least, the potential to overcome the constraints of both finance and effective management of regulatory institutions (Robinson 1996, 91).

Regional scenarios for telecommunications development and regulation in Southern Africa are in line with the importance ascribed to telecommunications by international lending and aid agencies and trade bodies during the 1990s. The World Bank in particular has identified telecommunications as a critical sector for economic growth, primarily in terms of improving the efficiency of the operation of markets (World Bank 1992). Its recommended approach to infrastructure development in general suggests that utilities should be managed like businesses and should be opened up to competition (World Bank 1994). It argues that because of technological and organisational change, utilities should no longer be treated as natural monopolies. As a result, the role of the state has been re-conceptualised, not in terms of public ownership and strong public-interest regulation, but rather in terms of regulating to ensure competition and to facilitate investment by reducing regulatory risk for private capital (World Bank 1997, 65-66). It is in the context of this new paradigm of state regulation that the liberalisation of broadcasting and telecommunications has become one of the primary indicators used by agencies such as the World Bank and the IMF in assessing structural adjustment programmes and stabilisation policies in a range of Southern African countries.

If direct pressure for broadcasting and telecommunications liberalisation in Southern Africa derives from the policies of the World Bank and IMF, then a broader enabling context is the framework for international trade in basic telecommunications services established by the WTO in February 1997. The agreement involves some seventy governments comprising 90% of the global market in telecommunications in revenue terms, and provides an agenda for more open and competitive telecommunications markets. Three basic themes underwrite the agreement: 1. Market access: a commitment to open-up access to all telecommunications markets to foreign operators; 2. Investment policy: signatories must permit foreign ownership and control of local companies; 3. Regulation: a commitment to the development of a non-discriminatory, transparent, and pro-competitive regulatory environment. The precise implications of the WTO agreement on basic telecommunications are unclear. On the one hand, it has been argued that the agreement will have negative consequences for low-income countries of the South, not least because the WTO is not open to the same degree of influence or subject to the same forms of accountability as existing multi-lateral arrangements organised around the ITU (Siochrú 1997, 55). However, it has also been argued that the agreement remains rather vague, since the actual implementation of rules is left to individual national governments (Fredebeul-Krein and Freytag 1997; Drake and Noam 1997). Most African countries do not have established independent regulators, or have only very recently established them, and it remains to be seen how an international policy-consensus on market liberalisation and regulatory change will be mediated by the development of institutional structures at the national level and on a regional scale. Only a handful of African countries have signed-up to the agreement, and only two from the SADC, South Africa and Mauritius. Nonetheless, the WTO deal on basic communications will effectively oblige all countries to adjust their policy and regulation in the direction of its liberalising and privatising agenda. It can be seen as one factor behind the proliferation of independent regulatory agencies in Africa in the last two or three years.

Led by the assertive "new" South Africa, a neo-liberal agenda of liberalisation and privatisation, shaped by a discourse of "information society" and "technological convergence," is now being embedded in a range of regional regulatory and policy frameworks for telecommunications development. The general theme underwriting these frameworks is the need to share scarce managerial, professional, scientific and technical expertise; to promote privatisation and liberalisation; and to establish independent regulators to license new service providers. "The African Connection Initiative" is an inter-governmental framework agreement, signed by African communications ministers in 1998, which lays down a basic framework for rural telecommunications development, human resource development, regulation, and the development of regional markets and regional co-operation. The policy agenda it lays down reflects the ascendancy of the South African blueprint of economic liberalisation: it calls for the separation of government, regulators, operators; for independent regulatory institutions; for the creation of conditions for investor friendly telecommunications environment; the development of local communication industries towards global competitiveness; and for liberalisation and the encouragement of private investment. The general rhetorical theme of "The Africa Connection Initiative" is the need to harmonise telecommunications and broadcasting regulation in order to prepare the continent for effective participation in the Global Information Society. A related initiative was the formation of the *Telecommunications Regulators' Association of Southern Africa* (TRASA) in 1998. This is a regional association of regulators, including all SADC member-states, half of which have passed, or are in the process of passing, legislation to set up regulatory authorities independent of the national telecommunications operators, which will be responsible for licenses, tariffs, and frequency management. The establishment of TRASA further reflects the commitment to harmonise regulatory frameworks across national markets in order to enhance the attractiveness of the region to international investors. These two measures are supported by the *Regional Telecommunications Restructuring Program* (RTR), a programme of technical assistance and management education funded by the United States Agency for International Development (USAID) through the Southern African Transport and Telecommunications Commission of SADC to support further the effective liberalisation of telecommunications in member-states. Taken together, these regional initiatives indicate the tentative emergence of a coherent region-wide regulatory regime for telecommunications development in the SADC region. Furthermore, this process coincides with the increasing integration of regional telecommunications and the systematisation of continental infrastructures, a process in which South Africa has played a central role.

The single most ambitious international telecommunications project in Africa is AT&T's *AfricaOne* programme, a project to lay a fibre-optic cable network around the entire continent and thereby interconnect more than 40 terrestrial networks. The potential attraction for African telecommunications markets for capital from the industrialised North lies in the dynamics of uneven geographical development. The very paucity of telecommunications infrastructure in most of the continent, especially outside the major urban areas, accounts for the surprising fact that "the average pre-tax profitability of African telecommunications is the highest in the world, largely because the market is confined to the richest segment of the population and to foreign-owned, export-oriented firms" (Warf 1998, 265).

AT&T's flagship project is in turn associated with a series of continent-wide joint-partnerships and strategic ventures. For example, in 1998, the *SAT-3/WASC/SAFE* project was established. This brings together major international telecommunications corporations such as AT&T, British Telecom, Telecom Malaysia, France Telecom, and

VSNL (India), with various African telecom operators, from Angola, Benin, Ivory Coast, Ghana, Cameroon, Gabon, Liberia, Senegal, Namibia Niger, Nigeria, Senegal, South Africa, and Togo. The project promises to provide Africa with "global connectivity" through a submarine cable project which combines two separate projects established in 1996 and 1997: the SAT-3/WASC connects Southern Africa with West Africa, while the SAFE segment links South Africa via Malaysia to Far-Eastern markets. There are similar examples of region- and continent-wide co-operation between national operators in the satellite communications sector. Since 1993, the Regional African Satellite Communications System (RASCOM) has enabled more than 40 African countries to pool satellite capacity to harness and enhance satellite communications developments in the continent.

The increasing presence of South African capital in African communications markets is a notable feature of the 1990s. As well as the operations of Telkom, satellite broadcasting in Africa is dominated by the South African-based MIH Holdings, which includes both the MultiChoice distribution company and M-Net television channels; the South African based MTN is involved in numerous joint-partnerships throughout Southern Africa to develop cellular telephone networks. This penetration is made possible by the general trend towards the opening up of national telecommunications sectors to competition in the 1990s. In policy-discourse and in South African business strategy, the country is represented as a "gateway" into Southern African telecommunications markets for international capital, and South African capital is constructed as the potential "engine" of regional economic growth in partnership with international capital. Since 1996, the South African state's telecommunications policy has displayed a strong commitment to regional integration of markets and regulatory regimes. The 1997 Telecommunications Act laid out a programme for opening up regional markets for equipment and services; the adoption of harmonised standards and technological specifications; and the formulation of common African positions for international telecommunications and information policy negotiations. In short, the regional integration of communications markets has been identified as a central plank of the South African government's export-oriented economic growth strategy.

Without the direct intervention of either the IMF or World Bank, South Africa has undertaken its own programme of economic adjustment to improve international competitiveness, which closely follows the neo-liberal orthodoxy of export-led industrialisation and policies to attract foreign direct investment (see Marais 1998). The country has become a leading force in the development of a regional agenda for the liberalisation, privatisation, and commercialisation of telecommunications markets and operators. South African corporations, both publicly and privately owned, have been leading players in regional and continent-wide strategic partnerships to develop instrastructural programmes for basic and advanced telecommunications services. I now want to consider how this increasingly assertive role of the South African state and capital in regional telecommunications initiatives is related to issues of media democratisation.

The Politics of Liberalisation and Regulatory Convergence

Despite tendencies towards the harmonisation of telecommunications policies and the integration of markets, significant national differences persist in the implementation of what, looked at from a distance, may appear to be a general pattern of liberalisation, privatisation, and regulatory reform. During the 1990s countries as different as Botswana, Malawi, Namibia, South Africa, Tanzania, and Zimbabwe opened-up telecommunications and broadcasting sectors that were previously dominated by the state. But a common theme emerging from these very different cases is that the introduction of legislation for "independent" regulation often serves as a means by which the national government endeavoured to maintain effective control over crucial political and economic resources. At the national scale, processes of telecommunications liberalisation are caught up in the fraught process of democratic transition, and the proper relationship between telecommunications and broadcasting is highly contested. I want to briefly review the cases of South Africa and Zimbabwe to indicate the extent to which national policies and national politics continue to shape the unfolding of an apparently "global" paradigm of communications liberalisation and regulatory convergence.

The process of broadcasting and telecommunications reform in South Africa in the 1990s indicates that the predicted harmonisation of regulatory regimes, which is supposed to follow naturally from technological change, is fact a highly contingent process shaped by the politically contentious process of institution-building in the course of democratic transition. Given the centrality of radio and television as channels of political communication, the transformation of broadcasting has been more urgent throughout most of the decade (see Barnett 1999, Teer-Tomaselli 1995). The process has been characterised by the introduction of competition between public and private broadcasters, liberalisation of markets, and corporatisation of publicly owned broadcasters, and foreign investment and ownership. All of this has been overseen by the establishment of a new framework of independent regulation (Barnett 1999 forthcoming). Telecommunications restructuring, by contrast, has been a somewhat slower process, despite this being a sector of the economy, which is crucial to the success of the ANC-led government policies of reconstruction and redistribution (Horwitz 1999).

The reform and restructuring of the broadcasting and telecommunications sectors, previously tightly controlled by the apartheid state has involved an increased role for private capital and the market. The central policy question arising from this scenario is how this liberalisation can be regulated and made consistent with the aims of nation-building, reconciliation, democratisation, and cultural diversity. Between 1990 and 1991, a broad consensus emerged in South Africa across the political spectrum on the need to establish an independent regulatory authority to oversee the transformation of the mass media. However, plans for an integrated Independent Telecommunications Authority were put aside in 1993, when it became clear that impending elections urgently required that broadcasting legislation be passed separately from telecommunications. This pragmatic decision did not preclude the merging of broadcasting and telecommunications regulatory structures at a future date. As a consequence, an Independent Broadcasting Authority (IBA) Act was passed in October 1993 (RSA 1993). The IBA was the product of the political consensus that had emerged on the need to ensure that broadcasting be taken out of control of cabinet ministers, and made independent of direct government interference. Thus, the IBA's founding legislation specified that it should function "wholly independently of the State, governmental and party political influences and free from political or other bias or interference" (RSA 1993). It is this degree of independence that subsequently became central to the politics of communications policy after 1996.

The IBA Act provides for the regulation of the market for broadcasting services in the interest of viable competition and pluralism, by limiting cross-media ownership and encouraging a diversification of ownership of broadcasting services. In practice, the IBA's ability to re-regulate the broadcasting system has been significantly constrained by the entrenchment of existing broadcasting interests, such as those of the South African Broadcasting Corporation (SABC) and the privately-owned terrestrial subscription television service M-Net. Nonetheless, between 1994 and 1998, the IBA has overseen the transformation of South African broadcasting, licensing new private radio and television stations, new community radio stations, and the privatisation of six SABC-owned radio stations. In terms of ownership and control as well as programming, this amounts to a fundamental diversification in what was previously a tightly controlled state-run broadcasting system. However, the political legitimacy of the IBA has been seriously weakened since 1994. Financial mismanagement has hindered its operations, and has raised wider questions regarding its ability to develop the required institutional capacity while dealing with fundamental structural overhaul of broadcasting.

In August 1997, the ANC-led government, which considers the IBA to be unaccountable, set in motion a thorough broadcasting policy review process, with the explicit aim of re-ordering the regulatory landscape established in the period immediately prior to the 1994 elections. Along with the 1996 Telecommunications Act, this process has been shaped by the intention of government to establish regulatory authorities as only licensing and spectrum-allocation bodies, while vesting the policy-making role allocated to the IBA since 1993 firmly with the government.

The broadcasting policy review of 1997-1998 should be seen in the context of telecommunications restructuring. This latter process has been characterised by increasingly centralised decision-making which circumvents previous processes of consultation and participation (Horwitz 1997). Government has been determined to oversee the partial privatisation of the state-owned monopoly operator of basic telecommunications services, Telkom. In March 1997, a 30% stake in Telkom was sold jointly to the American company SBC Communications and Telekom Malaysia. The Telkom deal illustrates the ANC-led government's determination to open previously closed sectors of the economy to foreign capital and to extend the operations of large state-owned corporations such as Telkom into the broader Southern African region. At the same time, the partial privatisation of Telkom has been represented as the best means by which to balance the goal of extending basic services in communications with the need to develop advanced information and communications services to sustain the international competitiveness of the South African economy. In contrast to the broadcasting sector, telecommunications "privatisation" has not yet been accompanied by market liberalisation. Telkom's monopoly position over local access, public pay phone, national long-distance and international services remains protected for an unspecified period. Telkom is likely to enhance its dominant position before a second operator of basic services is licensed by 2005.

The most contentious issue to emerge from the process of telecommunications reform since 1996 and the broadcasting policy review of 1997-1998 is the proposed merger of the IBA and the newly established South African Telecommunications Regulatory Authority (SATRA). The merger is justified by government on the grounds of technological convergence. However, SATRA does not have the same degree of independence as the IBA. SATRA is answerable directly to the Minister, rather than to Parliament as is the case with the IBA. Nor is SATRA funded by license-fees, which is seen as a basic condition of maintaining regulatory independence. Since 1997, SATRA has acted to protect Telkom's dominant market position by curtailing both callback telephone operators and private Internet service providers. The difference between the degree of independence from government of the two bodies is central to the debate over the merger between IBA and SATRA, which is still being finalised. As an institution created in the policy-vacuum over broadcasting that existed in the early 1990s, the IBA was always likely to be vulnerable to changes in the balance of political forces that enabled it to be established in the first place. Some commentators fear that the merger will enable the government to impose greater control over broadcasting than it currently enjoys. This concern is animated by the persistent criticism that has been directed at the media by leading government figures since 1994, as the ANC has grown increasingly concerned about it's ability to manage the flow of communications about its policies.

Since 1996, the agenda of media democratisation and cultural diversification which shaped policy-making from 1990 to 1995 has been replaced by an agenda that subordinates broadcasting to a general strategy of communications policy as an element of economic policy. Broadcasting is now treated as a branch of industrial policy aimed at making the South African economy globally competitive. This shift of emphasis rests upon the mobilisation of the contemporary rhetoric of convergence between information, telecommunications, and broadcasting technologies. The new agenda is aimed at boosting manufacturing capacity and international competitiveness. This is the broader policy context for the merger of the IBA into SATRA, which is justified as the inevitable convergence of previously distinct roles telecommunications and broadcasting regulators. However, the move has been strongly opposed by independent media organisations, for whom the string definition of independence enshrined in the IBA Act includes a commitment to both transparent *and* participatory policy-making, a model of democratic communication that is at odds with the economistic model that equates diversification of ownership with democratisation.

The process of broadcasting reform in South Africa since 1995 reflects the more general waning of the influence of "civil society" organisations which came to the fore in the struggle against apartheid in the 1980s and maintained a considerable influence in the first half of the 1990s. The positive impetus for independent broadcasting came from civil society groups aligned with the mass democratic movement. The IBA was the product of a period of intense political campaigning and intellectual debate in the early 1990s which produced a consensus on the need to ensure that broadcasting be taken out of control of cabinet ministers, and made independent of direct government interference. The South African example indicates the extent to which the national governments continue to exercise a critical role in the liberalisation of media and communications sectors, for both political reasons and economic reasons. In particular, it indicates that different normative models of democracy and communication are deployed in political debates and decision-making processes regarding the liberalisation, privatisation, and commercialisation of broadcasting and telecommunications.

I want briefly to review recent developments in Zimbabwean communications policy to underscore further the argument that particular national contexts shape the patterns of what, from a distant perspective, can all too easily appear to be an undifferentiated process of global liberalisation. Although a multi-party state since independence in 1980, the ruling ZANU-PF (Zimbabwe African National Union-Patriotic Front) dominates the media in Zimbabwe. Macro-economic reforms since 1991, shaped by internationally imposed structural adjustment programmes and stabilisation policies, have led to state subsidies and grants for parastatal organisations being slashed, and this has directly affected the financial position of Zimbabwe Broadcasting Corporation (ZBC). Recent moves towards the liberalisation of broadcasting illustrate the government's continued determination to maintain control over the state broadcaster. In 1997, ZBC began leasing airtime to a series of private companies on the country's second terrestrial television station, ZTV2 (*Africa Film and TV* 1997). The liberalisation of access to the airwaves therefore remains limited to commercial arrangements between the ZBC and independent companies, often closely associated with the ruling-party. Progress towards establishing an independent broadcasting authority has been slow, and marked by the government's reluctance to relinquish it's effective monopoly over broadcasting. A draft Communications Bill has been in circulation since 1998, but this legislation has been criticised by civil society organisations, who have expressed concern over the degree of genuine political independence of the proposed regulatory authorities, in a period in which the ZANU-PF government has become increasingly belligerent towards press freedom in Zimbabwe. The delayed process of broadcasting reform indicates that the national government is shaping the liberalisation of broadcasting and telecommunications so as to ensure its continued tight control over channels of political communication.

It must be emphasised, however, that this is not an uncontested process. A notable feature of the current politics of communications policy in Zimbabwe is the active role played by the country's Supreme Court in applying constitutional principles to the area of telecommunications reform. This is in contrast to the situation in South Africa, where the new constitution has only served only as a general context for policy making, but has not been directly applied through legal decision-making to broadcasting or telecommunications.

The Zimbabwean constitution protects freedom of expression, although not specifically the freedom of the press. In a landmark case in 1995, the Supreme Court found that the state-owned Posts and Telecommunications Corporation's monopoly on telephone services was unconstitutional in so far as it failed to deliver an adequate telephone service to most of the country's population.[2] The Supreme Court found that a monopoly which, because of its poor performance, effectively restricted the rights to receive and impart ideas and information violated rights to freedom of expression (Article 19 1998). The case, brought by a local company denied a licence to establish a cellular telephony network, extends the definition of freedom of expression rights to include access to the means of transmission and reception. The *Retrofit* case, while referring in particular to cellular telephony, has potential implications for the further development of broadcasting, since it implies that the Supreme Court might challenge the constitutionality of the government's continuing monopoly of broadcasting services.

It should be noted that the precise outcome of both telecommunications and broadcasting reform is not dictated in the last instance by constitutional decision-making, since the ruling ZANU-PF is able to circumvent the process of constitutional review because of its political dominance in Parliament. But once again, the Zimbabwean case illustrates that it remains essential to consider nationally specific institutional infrastructures (including the different roles of law, policy, regulation, state monopolies, and above all political structures) when trying to explain the actual pattern of "globalisation" and "convergence." There is a geographically uneven articulation of "global" and "regional" policy scenarios with the scale of the nation-state. Furthermore, it underscores the fact that the nation-state remains the level at which political movements to extend democratic representation, participation, and accountability in Africa are still concentrated. Moves towards the regional integration of telecommunications markets, policies and regulatory regimes in Southern Africa therefore have potentially negative implications for media democratisation in so far as they tend to forestall attempts to subject broadcasting to participatory forms of policy and regulatory oversight at the national-scale, the jurisdictional and political scale at which processes of democratic representation and accountability have in many cases only recently begun to be consolidated.

Communications Policy and Models of Democracy

The examples of South Africa and Zimbabwe indicate the close connections between telecommunications restructuring and broadcasting reform in a period of political transition, during which the status of access to press, radio, and television has become an index of the national government's commitment to democratic reform. Technological change and the re-regulation of communications markets on a transnational scale call for a rethinking of conventional models of the relationships between communications infrastructure and the maintenance of democratic institutions (see Benkler 1998; Winseck 1997). Current policy developments in Southern Africa indicate that disputed conceptualisations of democracy and communications are not merely matters of academic concern, but are also at stake in the course of negotiating policy scenarios in particular national contexts.

The *Retrofit* case in Zimbabwe has ambiguous implications for media democratisation. It seems to extend free speech rights to corporations, a principle that has doubtful implications for the development of participatory and democratic communications policies. Yet, in a context of a state-monopoly over telecommunications and broadcasting, it might also be productively deployed against the interests of an over-mighty ruling political party to leverage some space for alternative and independent sources of news and information.

Likewise, in South Africa, a history of state control and state censorship has underwritten a broad shift in the provision of communications services from the state to the market. I would suggest that both cases indicate the need to contest actively the dualism of state-control versus free-market liberalisation that underwrites the mainstream paradigm of media and communications reform propagated by organisations such as the WTO, IMF, and World Bank. The market-liberal model of communications regulation prioritises transparency and non-discrimination as conditions for attracting inward foreign investment and reducing regulatory risk for private capital. "Independence" here translates as the need to shield communications policy and regulation from the arbitrary whims of political interference. The principle of transparency in regulatory decision-making is understood to guarantee the "public interest," on the assumption that transparency secures the proper operation of the market place, and therefore allows for the ideal coincidence of the interests of privately-owned capital with the general public good. Transparency is conceptualised as a signalling device for corporations in the market place, rather than in a strong sense of a principle of publicity sustaining broadly participatory debates over policy in public forums.

South Africa provides a context in which civil society actors and organisations have argued for a third position between the normatively opposed alternatives of state and market. Due to a congruence of political factors in the mid-1990s, significant progress was made towards institutionalising a participatory model of regulated pluralism in media policy. This model presumes a different understanding of the role of independent regulation from the model now being embedded in various regional communications policy and regulatory initiatives in Southern Africa. It is a model of communications regulation that combines independence from government interference with a strong participatory emphasis, so that policy-making remains responsive to the influence of a diverse civil society.

The three tier model of public, private, and community media, existing at the scales of the national, the sub-national region, and localities, provides a normative ideal of neither private dominance nor state monopoly which aims to secure a plurality of mediums of communication (Tomaselli 1994; Berger 1998). It is this model of regulatory reform pursued by civil society organisations in South Africa throughout the 1990s, finding its clearest institutional expression in the IBA's Triple Inquiry of 1994-1995 (IBA 1995). The same conceptualisation of democracy and communications underwrites the campaigns of the *Media Institute of Southern Africa* (MISA) in a number of countries, including Botswana, Namibia, and Zimbabwe. MISA has been active in challenging legislation that deploys the rhetoric of convergence and liberalisation but does not adequately address measures to maintain the editorial independence of public service broadcasters and to develop a pluralistic system of public, private, and community broadcasters. MISA's activities throughout the region are an example of regional cooperation amongst media activists and journalists organisations from different countries to critically engage with international and region-wide agendas for market liberalisation and privatisation which presume a narrowly economistic model of democracy and communications.

I have tried to give some sense of the different spatial scales and institutional networks through which "technological convergence" and "the information society" become the objects of policy-making and political debate in Southern Africa. Even in paradigmatically "weak-states" of debt-ridden, structurally adjusted Southern Africa, the contexts of national policies and politics remain critical in shaping the forms and outcomes of "globalisation" or "convergence." In this context, as illustrated by the South African example discussed above, the policy-discourse of the inevitable technological convergence of telecommunications and broadcasting is a politically charged intervention in on-going debates about the proper role of media in democratic transition and consolidation. It implies the subordination of explicit concerns with the relationships between media, participation, and representation to an economistic model of market-liberalisation and administrative governance.

The market-based model, which is highly influential in the development of telecommunications policy, presents markets as modes for the expression of individualistic private interests. This is contested by a model of democracy in terms of the active participation of citizens in transformative pubic forums of debate and representation.

State-led scenarios for regional liberalisation are matched by an evolving regional network of civil organisations co-operating to maintain and promote an alternative normative model of participatory communications policy and practice. What this emergent regional politics of communications policy suggests is that the success of campaigns for the democratisation of mass media in Southern Africa will be shaped by the ability of different actors operating at the national scale to draw upon networks of political support and institutional resources which increasingly stretch beyond the confines of individual nation-states.

Notes:

1 The SADC replaced the Southern African Development Co-ordination Community, originally set-up by the so-called "front-line states" to reduce their economic dependence upon apartheid South Africa. The end of apartheid in the 1990s has seen South Africa become the largest single economic actor in the SADC. The SADC now consists of 14 member-states: Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe.

2 *Retrofit (PTY) v. Posts and Telecommunications Corporation*, Zimbabwean Supreme Court, 1995(9), 1995, BCLR 1262 (2).

References:

Africa Film and TV. 1997. ZBC: Privatisation or Bust. September-October 14, 6-7.

Article 19. 1998. *Zimbabwe: Media Monopoly and Popular Protest*. London: Article 19.

Barnett, Clive. 1999. Broadcasting the Rainbow Nation: Media, Culture, and Democracy in South Africa. *Antipode* 31, 274-304.

Barnett, Clive. 1999 forthcoming. The Limits of Media Democratization in South Africa: Politics, Privatisation, and Regulation. *Media, Culture and Society* 21, 5.

Benkler, Yochai. 1998. Communications Infrastructure Regulation and the Distribution of Control over Content. *Telecommunications Policy* 22, 183-196.

Berger, Guy. 1998. Media and Democracy in Southern Africa. *Review of African Political Economy* 25, 599-612.

Bourgault, Louise M. 1995. *Mass Media in Sub-Saharan Africa*. Bloomington: Indiana University Press.

Drake, William J. and Eli M. Noam. 1997. The WTO Deal on Basic Telecommunications. *Telecommunications Policy* 9/10, 799-818.

Fredebeul-Krein, Markus and Andreas Freytag. 1997. Telecommunications and WTO Discipline. *Telecommunications Policy* 6, 477-491.

Horwitz, Robert B. 1997. Telecommunications Policy in the New South Africa: Participatory Politics and Sectoral Reform. *Media, Culture and Society* 19, 503-534.

Horwitz, Robert B 1999. South African Telecommunications: History and Prospect. In E. Noam (ed.), *Telecommunications in Africa*, 205-248. Oxford: Oxford University Press.

Independent Broadcasting Authority. 1995. *The Triple Inquiry Report*. Johannesburg: IBA.

Marais Hein. 1998. *South Africa: Limits to Change: The Political Economy of Transformation*. London: Zed Press.

Mistry, Percy S. 1996. Regional Dimensions of Structural Adjustment in Southern Africa. In J. J. Teunissen (ed.), *Regionalism and the Global Economy: The Case of Africa*, 165-289. The Hague: Forum on Debt and Development.

RSA (Republic of South Africa). 1993. *Independent Broadcasting Authority, No. 153*. Cape Town: Government Printer.

Robinson, Peter. 1996. Potential Gains from Infrastructural and Natural Resource Investment Co-ordination in Africa. In J. J. Teunissen (ed.), *Regionalism and the Global Economy: The Case of Africa*, 68-98. The Hague: Forum on Debt and Development.

Siochrú Sean. 1997. The ITU, the WTO, and Accounting Rates: Limited Prospects for the South? *Javnost-The Public* 4, 4, 47-57.

Swyngedouw, Erik. 1997. Neither Global nor Local: Glocalization and the Politics of Scale. In K. Cox (ed.), *Spaces of Globalization*, 137-166. New York: Guilford.

Teer-Tomaselli, Ruth. 1995. Moving towards Democracy: The South African Broadcasting Corporation and the 1994 Election. *Media, Culture and Society* 17, 577-601.

Tomaselli, Ruth. 1994. The Mediazation of Culture: John Thompson and the Vision of Public Service Broadcasting. *South African Journal of Philosophy* 13, 124-132.

Warf, Barney. 1998. Reach Out and Touch Someone: AT&T's Global Operations in the 1990s. *Professional Geographer* 50, 253-267.

Winseck, Dwayne. 1997. Contradictions in the Democratization of International Communication. *Media, Culture and Society* 19, 219-246.

World Bank. 1992. *Telecommunications: World Bank Experience and Strategy*. Washington D. C: World Bank Discussion Papers, No. 192.

World Bank. 1994. *World Development Report: Infrastructure for Development*. Oxford: Oxford University Press.

World Bank 1997. *World Development Report: The State in a Changing World*. Oxford: Oxford University Press.