

REGULATORY CHALLENGES TO MEDIA CONVERGENCE IN SOUTH AFRICA AND INDIA

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INTRODUCTION

- **Central Motivating Research Question:**
 - Do countries set an agenda to respond to the phenomenon of media convergence?
- **This Paper Explores How and Why the Notion of Media Convergence Is Reflected In The Policy Initiatives In The Two Countries.**
- **Similarities And Differences In The Respective Policy Initiatives Will Be Raised.**

DEFINING CONVERGENCE

- **Convergence Is Typically Defined In Multiple Dimensions:**
 - Technological
 - Organizational
 - Market
 - Regulatory
 - **The Technological Dimension Of Media Convergence Has Two Key Constructs:**
 - Integration
 - Digitalization
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THEORETICAL FRAMEWORK

□ **Technological Determinism**

- Technological determinism - A school of thought that seeks to explain social and historical phenomena in terms of one principal or determining factor, namely technology.
- Policy implications: Recognizing limits of technological determinism can yield more relevant and effective policy initiatives.

□ **Social Shaping Theory**

- De-emphasizes the role of technology in determining media policy.
 - Policy implications: The formulation of policy initiatives needs to be deliberate and conscious of a variety of variables aside from technological developments.
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FOUR RESEARCH QUESTIONS

- RQ 1: Has Media Convergence Become A “Guiding Vision” For South Africa And India In Drafting Policy Initiatives?
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FOUR RESEARCH QUESTIONS (CONTINUED)

- RQ 2: How Is The Notion Of Media Convergence Reflected In Policy Initiatives In The Two Countries?**
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FOUR RESEARCH QUESTIONS (CONTINUED)

- RQ 3: What Are The Key Similarities And Differences In The South African And Indian Regulatory Approaches Expressed In The Respective Policy Initiatives?**
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FOUR RESEARCH QUESTIONS (CONTINUED)

- RQ 4: What Obstacles Are Visible In The Policy Initiatives That Detract From Media Convergence?**
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METHOD

- **Three Components Of The Methodology.**
 - Selection of the country cases.
 - Selection of the policy initiatives.
 - Procedure to bolster the preliminary's replicability.
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METHOD (CONTINUED)

□ Selection Of The Country Cases.

- Two cases: South Africa and India were selected based on 3 parallels:
 - Both recently adopted initiatives and agencies specifically to pursue media convergence.
 - Both face common issues of:
 - Cross sector entry
 - Technology neutrality
 - Competitive neutrality
 - Role of regulatory oversight
 - Both represent developing economies that are addressing issues of digitalization and integration.
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METHOD (CONTINUED)

- **Selection Of The Policy Initiatives Within The Respective Cases.**
 - 4 parameters for selecting the policy initiatives.
 - The policy initiatives must be high – level and substantive texts.
 - The policy initiatives must be the most recent documents drafted within the respective sectors.
 - The policy initiatives must contain language that transcends at least one media form.
 - The policy initiatives must contain text relevant to digitalization and / or integration.
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METHOD (CONTINUED)

- ❑ **Selection Of The Policy Initiatives.**
 - South African policy initiatives:
 - ❑ South African Telecommunications Act
 - ❑ South Africa Broadcasting Act
 - ❑ Independent Communications Authority of South Africa Act
 - Indian policy initiatives
 - ❑ New Telecommunications Policy (1999)
 - ❑ Indian Broadcast Bill
 - ❑ Information Technology Act

- ❑ Communication Convergence Bill

METHOD (CONTINUED)

Procedure To Establish Replicability.

- The policy analysis procedure is based on four dimensions.

- Cross sector entry

- Technological neutrality

- Competitive neutrality

- Role of regulatory agencies

FINDINGS

- **RQ1: Digitalization And Integration Have Influenced The “Guiding Vision” Of Policy Initiatives In The Two Cases.**
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FINDINGS (CONTINUED)

- ❑ RQ2: Out Of A Total Of 42 Occurrences Only 16 Of Them Suggested Evidence Of Policy Instruments Or Mechanisms Being Used On Behalf Of Media Convergence.
 - ❑ While There Is No Universally Recognized Scale Or Metric To Assess The Precise Measurement Or Implications Of A Reading Of 16 Out Of A Total Of 42, 16 Is A Low To Moderate Number In Absolute Terms.
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FINDINGS (CONTINUED)

- **RQ3: The Policy Initiatives From The Respective Cases Have Scattered Similarities, However There Are Two Main Differences Worth Pointing Out.**
 - South Africa's 1996 Telecommunications Act offered evidence on the cross sector entry dimension while none of the Indian policy initiatives did so.
 - South Africa's ICASA Act of 2000, did not offer evidence on the technology neutrality dimension, while the corresponding document in the Indian case, the CCB, did offer this evidence.
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FINDINGS (CONTINUED)

- **RQ4: There Are Three Main Regulatory Obstacles.**
 - All the relevant initiatives lack multimedia or general communication licenses, which can potentially play an influential role in fomenting media convergence.
 - The initiative drafted in each case to implement convergence does not endow the new regulator with substantially more authority on behalf of convergence compared to the authority that the media sector specific initiatives accord to media sector specific regulators.
 - A lack of evidence on regulatory rules that would help create a level playing field between incumbents and newcomers to the provision of converged services.
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